



2019-2020 General Assembly

HOUSE BILL 902: Purchases & Contracts Changes/Global Transpark/Prison Pilot, Part VI: Limited Immunity from COVID-19 Related Claims Arising from Reopening of Privately Owned Community Swimming Pools

Committee:		Date:	October 9, 2020
Introduced by:		Prepared by:	Bill Patterson
Analysis of:	Part VI of S.L. 2020-90		Staff Attorney

OVERVIEW: *Part VI of S.L. 2020-90 provides limited immunity to owners and operators of privately owned community swimming pools and their agents for claims and actions seeking damages for injury or death arising from transmission of COVID-19 resulting from pool reopening in accordance with applicable executive orders of the Governor.*

This part of the act became effective July 2, 2020 and applies to claims arising on or after that date.

BILL ANALYSIS: Part VI of S.L. 2020-90 enacts a new Article 8 in Chapter 99E of the General Statutes providing limited immunity to owners and operators of community pools and their agents for claims and actions seeking damages arising from transmission of COVID-19 alleged to have resulted from the reopening of the pools. As used in the new Article, "community pool" is defined as a privately-owned community swimming pool, including, without limitation, one owned or operated by a multi-unit apartment complex, homeowners association, or condominium association.

This immunity does not apply to claims arising from gross negligence, wanton conduct, or intentional wrongdoing, and it applies to claims or actions arising no later than one year after the expiration or rescission of Executive Order 116 issued March 10, 2020.

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578