



SENATE BILL 113: Education Omnibus, Sec. 10: Covid-19 Immunity for Nonpublic Schools

2019-2020 General Assembly

Committee:		Date:	November 4, 2020
Introduced by:		Prepared by:	Kara McCraw Staff Attorney
Analysis of:	Sec. 10 of S.L. 2020-49		

OVERVIEW: *S.L. 2020-49, Sec. 10, grants limited immunity to nonpublic schools for claims related to tuition and fees paid for the 2019-2020 academic year that arise from alleged acts or omissions by the school between March 10 and July 1, 2020, in response to COVID-19. The immunity can be asserted if the alleged acts or omissions were reasonably related to protecting the public health, safety, or welfare in response to COVID-19 executive orders or guidance from the Centers for Disease Control and Prevention, and if the nonpublic school offered remote learning options for students to complete the academic year. The immunity cannot be asserted for losses or damages resulting solely from breach of an express contractual provision that allocated pandemic liability, or if the losses or damages were caused by an act or omission that was in bad faith or malicious.*

This section became effective June 29, 2020, and applies to actions commenced on or after that date.

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Legislative Analysis
Division
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