

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 3

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO ACTIONS FOR NEGLIGENCE; AMENDING CHAPTER 8, TITLE 6, IDAHO CODE,
BY THE ADDITION OF A NEW SECTION 6-809, IDAHO CODE, TO PROVIDE CER-
TAIN LIABILITY PROTECTIONS FOR EDUCATIONAL INSTITUTIONS AND TO DEFINE
TERMS; DECLARING AN EMERGENCY; AND PROVIDING A SUNSET DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 8, Title 6, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 6-809, Idaho Code, and to read as follows:

6-809. LIABILITY PROTECTIONS FOR EDUCATIONAL INSTITUTIONS. (1) A school or accredited institution of higher education or any trustee, employee, contractor, or agent thereof while acting within the course and scope of their duties or employment and without malice or criminal intent and without reckless, willful, and wanton conduct as defined in section 6-1601, Idaho Code, shall not be liable for any claim arising from the transmission or contraction of COVID-19.

(2) For purposes of this section:

(a) "Accredited institution of higher education" means any public or private university, college, or community college in Idaho accredited by the northwest association of schools and colleges or any public professional-technical school operated by the state of Idaho or any political subdivision thereof.

(b) "COVID-19" means:

(i) Severe acute respiratory syndrome coronavirus 2; or

(ii) The disease caused by severe acute respiratory syndrome coronavirus 2.

(c) "School" means any Idaho public school district, Idaho public charter school, or accredited private or parochial school whose enrollment includes instruction for students in kindergarten through grade 12, or any portion thereof.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.

SECTION 3. The provisions of Section 1 of this act shall be null, void, and of no force and effect on and after July 1, 2021.