



**Testimony to House Committee on Judiciary
Supporting Liability Protections due to COVID-19
May 13, 2020
The Greater Kansas City Chamber of Commerce**

The Greater Kansas City Chamber of Commerce (KC Chamber) urges the House Committee on Judiciary to favorably pass legislation which will help protect Kansas businesses from frivolous lawsuits brought about by the coronavirus. As Kansas looks to reopen its economy, businesses across the state need legal and regulatory safe harbor legislation to curb liabilities for employers who follow official health and safety guidelines. The KC Chamber, representing nearly 2,000 businesses (40% of which are in Kansas), strongly believes this bill will provide much needed protection and stability to reassure businesses that they can confidently implement a reopening plan.

As the Kansas City area moves into the early phases of reopening, our members tell us that they want to make sure that they are not held liable for policy decisions made by government officials, should employees or customers contract COVID-19 once operations resume. They also want protection from litigation that could result from coronavirus-related disruptions or safe-workplace protocols designed to protect workers. This fear of lawsuits could be an impediment to reopening and bringing back thousands of workers.

While we agree that individuals with legitimate grievances should have a reasonable course for justice against a company that acted negligently and knowingly put the health of workers at risk, we believe that misguided and frivolous litigation can not only prevent businesses from reopening, but can also put scores of businesses out of work and cause thousands of workers to be jobless. If a business does its best to comply with CDC, OSHA, state and local public health recommendations, a business should be afforded a safe harbor against litigation.

When the government first asked businesses to shut down, Congress helped them mitigate the economic risk by passing more than \$2.6 trillion in economic support. Now that we are asking them to reopen, it makes sense that our state and federal governments should try to help mitigate legal risks by offering businesses protection against frivolous coronavirus-related lawsuits

Common-sense reforms have begun to be passed across the country. Kansas should not wait. Meaningful protections will help keep thousands of Kansans working and remove one more barrier for businesses as they work to reopen and support the state's economic recovery.

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