

COVID-19 RESPONSE AND REOPENING LIABILITY ASSURANCE ACT (EXCERPT)
Act 236 of 2020

***** 691.1452 *This section applies retroactively to any claim or cause of action that accrues after March 1, 2020: See 691.1460* *****

***** 691.1452 *THIS SECTION IS REPEALED BY ACT 139 OF 2022 EFFECTIVE JULY 1, 2023* *****

691.1452 Definitions.

Sec. 2. As used in this act:

(a) "Conduct intended to reduce transmission of COVID-19" means health screening, testing, contact tracing, and other actions intended to reduce transmission of COVID-19 in a workplace or on other premises.

(b) "COVID-19" means the novel coronavirus identified as SARS-CoV-2 or a virus mutating from SARS-CoV-2, the disease caused by the novel coronavirus SARS-CoV-2, and conditions associated with the disease.

(c) "COVID-19 claim" means a tort claim or tort cause of action for damages, losses, indemnification, contribution, or other relief arising out of, based on, or in any way related to exposure or potential exposure to COVID-19, or to conduct intended to reduce transmission of COVID-19. COVID-19 claim also includes a tort claim made by or on behalf of an individual who has been exposed or potentially exposed to COVID-19, or any representative, spouse, parent, child, member of the same household, or other relative of the individual, for injury, including mental or emotional injury, death, or loss to person, risk of disease or other injury, costs of medical monitoring or surveillance, or other losses allegedly caused by the individual's exposure or potential exposure to COVID-19. COVID-19 claim does not include an administrative proceeding or civil action brought by a state or local government prosecutor or agency to enforce state statutes and regulations, executive orders, or state agency orders applicable to COVID-19.

(d) "Nonprofit charitable organization" means an organization granted tax exempt status by the Internal Revenue Service, if no part of the organization's net earnings inure to the benefit of a private shareholder or individual.

(e) "Person" means an individual, partnership, corporation, association, governmental entity, or other legal entity, including, but not limited to, a school, a college or university, an institution of higher education, and a nonprofit charitable organization. Person includes an employee, agent, or independent contractor of the person, regardless of whether the individual is paid or an unpaid volunteer.

History: 2020, Act 236, Imd. Eff. Oct. 22, 2020.