

Gov. Evers Signs Special Session Senate Bill Shielding Businesses from COVID-19 Lawsuits

Gov. Tony Evers signed 2021 Special Session Senate Bill 1 into law as 2021 Act 4. This Act contains a liability shield that protect businesses—and other entities—from predatory COVID-19 related lawsuits.

Section 8 of [the Act](#) outlines one of the most robust COVID-19 liability shields in the country. The provision does the following:

- Creates immunity from civil liability for an entity due to alleged injury or death from COVID-19 in the course of or through the performance of the entity's functions or services.
- This immunity does *not* apply if an act or omission involves reckless or wanton conduct or intentional misconduct.
- An entity is defined as, "partnership, corporation, association, governmental entity, tribal government, tribal entity, or other legal entity, including a school, institution of higher education, or nonprofit organization. 'Entity' includes an employer or business owner, employee, agent, or independent contractor of the entity, regardless of whether the person is paid or an unpaid volunteer."
- The immunity is retroactive to March 1, 2020, except for cases that have already been filed by the date of enactment.

The Oshkosh Chamber of Commerce, through a WMC organized coalition of local chambers and other business association, advocated for a meaningful and easy-to-understand liability shield against COVID-19 related lawsuits for responsible businesses for over a year. The [coalition of more than 70 organizations](#) asked Gov. Evers and the legislature to approve this type of liability reform legislation.

The Senate passed the bill last week 27-3, and the Assembly approved it on Tuesday 89-0.

The Oshkosh Chamber thanks all of our members who emailed or called their elected officials to talk about the importance of this issue to the business community. We could not have done it without you.