

Mr. Chairman, members of the committee. My name is Michael Howe, House of Representatives from District 22.

I'm bringing forward HB 1175 on behalf of the businesses in my District and businesses across the state of North Dakota.

Throughout this global pandemic, North Dakota businesses across all industries have worked hard to stay open and have provided essential goods and services that we all rely on.

The goal of HB 1175 is to provide needed protection and clear up any uncertainty during these difficult times as it relates to frivolous lawsuits due to the COVID-19 pandemic.

This bill will

- Protect business owners, property owners and tenants from frivolous civil liability lawsuits who acted in good faith and followed COVID-19 applicable laws, regulations and executive orders issued by the federal government and the state;
- Specifically address health care facilities and providers because they were asked to respond quickly with uncertain guidance and limited resources; and
- Address manufacturers that adapted quickly to meet demands during the pandemic. They were called to produce personal protective equipment(PPE), ventilators, hand sanitizer, and other health related products to combat the pandemic that they wouldn't normally produce.

The protections in this bill WILL NOT cover business owners, property owners, and tenants that acted with malice and/or total disregard of the laws or executive orders during the COVID-19 pandemic.

Mr Chairman and Members of the committee, this bill has the support of hundreds of North Dakota businesses from many different industries, as well as our state's healthcare industry. These same folks asked Congress back in May for this protection on a federal level. As Congress often does, they didn't act. State Legislatures from all over the country have instituted nearly identical protections for their business community. It's time we do our part to protect North Dakota and keep our state one of the most business friendly in the Country.

Mr Chairman, I know there will be several organizations and businesses that will be speaking after me and can add why this is needed. You will see this has an emergency clause and is retroactive to January 1, 2020.

The House IBL committee did add a 2-year sunset clause. There are some problems with that 2-year sunset. The statute of limitations I believe is 6-years in these types of Civil Cases. So I'd ask the committee to change the 2 year sunset to 6 years.