



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
First Regular Session

House: JUD DPA 6-4-0-0

HB 2549: probable cause hearing; pandemic liability

Sponsor: Representative Kavanagh, LD 23

House Engrossed

Overview

Requires the court to conduct a probable cause hearing for every civil action filed and claims a party is liable for damages based on contracting a public health pandemic related illness and outlines requirements for the probable cause hearing.

History

Governor Ducey, on March 19, 2020, issued an [executive order](#) limiting the operations of certain businesses to slow the spread of COVID-19. On March 30, 2020, the Governor issued an [executive order](#) limiting activities outside of the home, increasing physical distancing measures and defining essential activities for individuals.

Provisions

1. Requires the court to conduct a probable validity hearing for every civil action filed and claims a party is liable for damages based on contracting a public health pandemic related illness. (Sec. 1)
2. States at the probable validity hearing that the plaintiff has the burden of proof to demonstrate sufficient evidence. (Sec. 1)
3. Directs the court to separate the probable validity hearing from the trial on the merits and states that only on a finding of probable cause may the court proceed to a trial on the merits. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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