

2020 Second Extraordinary Session

HOUSE BILL NO. 9

BY REPRESENTATIVES MCCORMICK, EDMONSTON, AND CHARLES OWEN

LIABILITY: Provides immunity from civil liability and criminal prosecution for certain persons during declared emergencies (Items #2, 28, and 60)

1 AN ACT

2 To enact R.S. 29:776, relative to the applicability of certain limitations of liability during  
3 public health emergencies; to provide relative to religious assembly; to provide for  
4 the freedom to exercise religious assembly during public emergencies; to provide for  
5 immunity from civil liability and criminal prosecution; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 29:776 is hereby enacted to read as follows:

9 §776. Religious assembly during public health emergencies

10 A. Notwithstanding any law to the contrary, no natural or juridical person  
11 shall be liable for any civil damages, fines, or penalties for assembling to exercise  
12 religious freedom during a public emergency, including public health emergencies,  
13 as declared by this Chapter or Chapter 6 of this Title.

14 B. Notwithstanding any law to the contrary, no natural or juridical person  
15 shall be liable for criminal prosecution for assembling to exercise religious freedom  
16 during a public emergency, including public health emergencies, as declared by this  
17 Chapter or Chapter 6 of this Title.

18 Section 2. Due to the impact of COVID-19, this Act shall be retroactive to March  
19 11, 2020.

1           Section 3. This Act shall become effective upon signature by the governor or, if not  
2 signed by the governor, upon expiration of the time for bills to become law without signature  
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
5 effective on the day following such approval.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 9 Engrossed

2020 Second Extraordinary Session

McCormick

**Abstract:** Provides for civil and criminal liability immunity for religious assembly during declared public emergencies.

Proposed law provides that no natural or juridical person shall be subject to civil or criminal liability for assembling for religious purposes during a declared public emergency, including public health emergencies.

Proposed law is retroactive to March 11, 2020.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 29:776)