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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 4545

1.1 A bill for an act
1.2 relating to civil actions; creating immunity defense for manufacturers producing
1.3 COVID-19 products; proposing coding for new law in Minnesota Statutes, chapter
1.4 604.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. 604.35 CORONAVIRUS DISEASE 2019 MANUFACTURING
1.7 ACTIVITIES; IMMUNITY.

1.8 Subdivision 1. Definitions. (a) For the purposes of this section, the terms defined in this
1.9 subdivision have the meanings given.

1.10 (b) "Association" means a trade, professional, agricultural, governmental, or similar
1.11 organization, the members of which are individuals, enterprises, or governmental units
1.12 engaged in similar lines of business, services, or activity.

1.13 (c) "Coronavirus Disease 2019 manufacturing activities" means manufacturing activities
1.14 related to the increase in demand for products during the outbreak of the infectious disease
1.15 known as COVID-19.

1.16 Subd. 2. Defective products. The increase in demand for products from the Coronavirus
1.17 Disease 2019 manufacturing activities may cause defective products resulting or reasonably
1.18 anticipated to result from operating deficiencies.

1.19 Subd. 3. Immunity in general. No cause of action may be maintained against an
1.20 association for damages or harm resulting from its Coronavirus Disease 2019 manufacturing
1.21 activities.

2.1 Subd. 4. **Exception.** Subdivision 3 does not apply if the party against whom the claim
2.2 is brought knew in fact that its Coronavirus Disease 2019 manufacturing activities were
2.3 fraudulent or materially or operationally defective.

2.4 Subd. 5. **No implied cause of action created.** No liability on the part of any person or
2.5 any public or private entity is implied or created by this section by the absence of a grant
2.6 of immunity under this section.

2.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.