

June 24, 2020

The Honorable Speaker Tina Kotek
900 Court St. NE, Rm. 269
Salem, OR 97301

The Honorable Senate President Peter Courtney
900 Court St. NE, S-201
Salem, OR 97301

Dear Co-Chairs Kotek and Courtney:

My name is Mark Knouff and I support an amendment to HB 4212 that would provide temporary and targeted liability protections to entities that are adhering to state and federal public health guidelines and rules to reduce the risk of COVID-19 exposure. To that end:

- Governor Brown's executive orders have flattened the COVID-19 curve, but the changing regulatory environment also has created immense liability and uncertainty for public and private sector employers.
- I am worried that even though we are following state and federal public health guidelines, we are still at risk of a lawsuit from a customer or employee saying that we didn't go far enough.
- The ask is simple; please amend HB 4212 to include the language: ***"A person or entity acting in good faith shall not be subject to civil damages resulting from acts or omissions that complied with an executive order or regulation or were in accordance with guidance regarding COVID-19, unless the damages result from the person or entity's gross negligence or from the person or entity's reckless, wanton or intentional misconduct. This section applies to all causes of action that accrue during the complete duration of the COVID-19 emergency declaration, EO 20-03 issued March 9, 2020."***
- Businesses need predictability and certainty. We need confidence that our government leaders understand the challenges we all face during these uncertain times.

Thank you in advance for your leadership on this important issue to those of us that are trying to do the right thing.

Sincerely,

Mark Knouff