



**Testimony in Support of HB 2638, COVID Liability Protection
House Committee on Judiciary Subcommittee on Civil Law
February 24, 2021**

On behalf of the Oregon Wine Council, which represents over fifty percent of the Oregon wine grapes grown, produced and sold, we are writing to express our strong support for HB 2638, which would provide limited liability protection for entities throughout Oregon who are operating in compliance with the state's COVID-19 mandates.

This bill would provide vital protection for Oregon's wineries and vineyards, who have spent much of the past year monitoring and tracking the ever-changing operational mandates from various state agencies and adapting their operations to ensure the health and safety of their employees, their customers and their communities.

Many of Oregon's wineries and vineyards are small, family operations that could be devastated by being forced to defend themselves against unfair and unwarranted lawsuits even when they are adhering to the Governor's Executive Orders and guidelines from the state. As our industry slowly begins to look toward recovery after the devastating wildfires of 2020 and the economic impacts of the pandemic, it is imperative that this recovery is not hindered by those who would threaten their operations with COVID-19 lawsuits.

This bill would not protect bad actors. Claims based for gross negligence, willful or reckless misconduct would not be impacted because they are specifically excluded. HB 2638 would simply ensure that if a winery or vineyard is operating under the Governor's orders and following the many health and safety guidelines required under OHA and OSHA, that they will have an off-ramp to protect them against COVID-19 lawsuits.

We urge you to support HB 2638 and protect the businesses, nonprofits, local governments and hundreds of other entities who have gone to great lengths to protect us during these unprecedented times. Please support the limited liability protections in HB 2638.

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