

HB 997 -- CIVIL ACTIONS

SPONSOR: DeGroot

This bill specifies that no party will recover damages from another person or entity for exposing the party to a virus or other communicable disease unless the party pleads and proves certain elements, specified in the bill, by clear and convincing evidence. At the time of the pleading, a party seeking to recover damages from another person or entity for exposing the party to a virus or other communicable disease must provide the defendant with an affidavit from a physician stating that certain elements have been satisfied to a reasonable degree of medical certainty. Failure to provide an affidavit will result in a dismissal of the party's cause of action and an award in favor of the defendant for the defendant's costs and attorney's fees.