



Pennsylvania Governor Vetoes Bill Affording COVID Liability Protection to Businesses

On November 30th, Governor Wolf of Pennsylvania vetoed a bill which sought to protect nursing homes, hospitals, schools, child care centers and other business from liability for COVID-related lawsuits. The bill would have only shielded those entities from liability for actual or alleged exposure to COVID-19 if they took good faith efforts to follow and comply with public health guidelines. The governor noted in a statement that “shielding entities from liability in such a broad fashion as provided under this bill invites the potential for carelessness and a disregard for public safety.” The bill narrowly passed through the General Assembly earlier in November, and was added on to a pre-pandemic bill regarding the limitation of environmental liability during the redevelopment of contaminated properties. Critics of the veto noted that the public safety concerns were unfounded, since those entities which did not follow public health guidelines would not be protected by the shield. Those in favor of the veto claimed that it protected the rights of individual citizens of the Commonwealth over the interests of business and corporations. A two-thirds majority vote is required in both chambers of the General Assembly to override the veto. At this time, it does not appear that there are sufficient votes in the legislature to override the veto.