

116TH CONGRESS  
2D SESSION

# H. R. 6601

To require a particular jury instruction in Federal civil actions that include a claim for damages based on negligence arising from the transmission of COVID-19.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 2020

Mr. BIGGS introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To require a particular jury instruction in Federal civil actions that include a claim for damages based on negligence arising from the transmission of COVID-19.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. JURY INSTRUCTION IN FEDERAL CIVIL AC-**  
4 **TIONS THAT INCLUDE A CLAIM ALLEGING**  
5 **NEGLIGENCE ARISING FROM THE TRANS-**  
6 **MISSION OF COVID-19.**

7 In a Federal civil action that includes a claim alleging  
8 negligence arising from the transmission of COVID-19

1 and a request for damages, the court shall instruct a jury  
2 that—

3           (1) the liability standard is the reasonable per-  
4           son standard,

5           (2) a person is negligent if the person either  
6           does something that a reasonably careful person  
7           would not do in the same situation, or fails to do  
8           something that a reasonably careful person would  
9           do, in the same situation,

10           (3) the act of opening a business, by itself, shall  
11           be considered to be reasonable as a matter of law,  
12           and

13           (4) the negligence may not be found solely on  
14           the basis of holding oneself open for business.

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