

SENATE No. 2644

The Commonwealth of Massachusetts

PRESENTED BY:

Walter F. Timilty

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to protect institutions of higher education that provide emergency aid in response to COVID-19.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|-----------------------------|--|------------------|
| <i>Walter F. Timilty</i> | <i>Norfolk, Bristol and Plymouth</i> | |
| <i>John C. Velis</i> | <i>4th Hampden</i> | <i>4/8/2020</i> |
| <i>Anne M. Gobi</i> | <i>Worcester, Hampden, Hampshire and Middlesex</i> | <i>4/8/2020</i> |
| <i>Diana DiZoglio</i> | <i>First Essex</i> | <i>4/8/2020</i> |
| <i>Linda Dean Campbell</i> | <i>15th Essex</i> | <i>4/8/2020</i> |
| <i>Steven Ultrino</i> | <i>33rd Middlesex</i> | <i>4/8/2020</i> |
| <i>John H. Rogers</i> | <i>12th Norfolk</i> | <i>4/8/2020</i> |
| <i>Stephan Hay</i> | <i>3rd Worcester</i> | <i>4/8/2020</i> |
| <i>Nika C. Elugardo</i> | <i>15th Suffolk</i> | <i>4/8/2020</i> |
| <i>Brian M. Ashe</i> | <i>2nd Hampden</i> | <i>4/8/2020</i> |
| <i>Elizabeth A. Poirier</i> | <i>14th Bristol</i> | <i>4/9/2020</i> |
| <i>Jeffrey N. Roy</i> | <i>10th Norfolk</i> | <i>4/9/2020</i> |
| <i>Brian W. Murray</i> | <i>10th Worcester</i> | <i>4/13/2020</i> |

SENATE No. 2644

By Mr. Timilty, a petition (accompanied by bill, Senate, No. 2644) (subject to Joint Rule 12) of Walter F. Timilty, John C. Velis, Anne M. Gobi, Diana DiZoglio and other members of the General Court for legislation to protect institutions of higher education that provide emergency aid in response to COVID-19. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to protect institutions of higher education that provide emergency aid in response to COVID-19.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to protect forthwith institutions of higher education that provide emergency aid in response to the outbreak of the 2019 novel coronavirus, also known as COVID-19, , therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 From the effective date of this act until the termination of the governor’s March 10, 2020
2 declaration of a state of emergency, any public or private institution of higher education, or any
3 officer or employee of such an institution, that develops, manufactures, tests or distributes
4 personal protective equipment to provide assistance in response to the novel coronavirus, also
5 known as COVID-19, or the state of emergency shall not be liable in a suit for damages as a
6 result of any act or omission in developing, manufacturing, testing or distributing the personal
7 protective equipment, or resulting from the administration to or the use by an individual, unless
8 the act or omission constitutes willful, wanton or reckless conduct.