

OFFICE OF THE GOVERNOR  
STATE OF MONTANA

GREG GIANFORTE  
GOVERNOR



KRISTEN JURAS  
LT. GOVERNOR

Mr. Chair and Members of the Senate Business and Labor Committee:

Thank you for the opportunity to register my strong support for SB 65.

The COVID-19 pandemic continues to stretch health care providers, cripple businesses, and strain our state's economy. Despite uncertainty, dedicated health care providers have helped respond to the pandemic by working long and exhausting hours, manufacturers have ramped up production of critical medical supplies and personal protective equipment, and many retail businesses have adapted quickly to ensure Montanans can access needed goods and services.

While these acts undoubtedly demonstrate the resiliency of Montanans, many of our frontline essential workers and businesses still require support. I appreciate that SB 65 begins by offering protections to those who care for our residents during the pandemic, including by limiting the civil liability of health care providers and manufacturers of COVID-19-related products under certain circumstances. Such health care providers and manufacturers remain especially vital to the state's ongoing pandemic response and current initiatives to protect the most vulnerable Montanans.

Furthermore, as we work together to reopen businesses and ensure their ability to operate at full capacity, SB 65 will encourage business owners to follow our lead by mitigating the threat of unwarranted lawsuits and excessive liability during these fragile economic times.

Montana's economic comeback is largely dependent on the ability of all business sectors to operate without fear of being sued when following, and in compliance with, current public health guidance. By offering protection from civil liability, SB 65 ultimately incentivizes our business owners to take personal responsibility and promote actions that advance public health. In light of rewarding personal responsibility, I am committed to rescinding the existing statewide mask mandate once our most vulnerable residents are vaccinated against COVID-19 and the Legislature establishes civil liability protections. The successful passage of SB 65 is critical to meeting this commitment.

Despite potential exposure to civil lawsuits that could restrict their means of helping our communities, many manufacturers have remained steadfast in their commitment to quickly make products necessary for a successful pandemic response. Specifically, I am grateful that SB 65 will limit the liability of businesses that design, manufacture, label, sell, distribute, or donate personal protective equipment and other qualified products associated with the COVID-19 response.

I am also pleased to know that SB 65 will offer health care providers greater discretion to make appropriate medical decisions related to COVID-19 without exposure to liability. Health care decisions made by medical professionals should be based on patient and public health – not a fear of civil lawsuits.

I applaud the work of Sen. Fitzpatrick and strongly urge the Senate to pass SB 65 as soon as possible.

Sincerely,

  
Governor Greg Gianforte