**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27‑30‑175 SO AS TO PROVIDE THAT THE OWNER AND OPERATOR OF A COMMUNITY POOL IS NOT LIABLE IN AN ACTION SEEKING DAMAGES FOR INJURY OR DEATH RESULTING FROM THE TRANSMISSION OF COVID‑19 ALLEGED TO HAVE RESULTED FROM THE REOPENING OF A COMMUNITY POOL.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 30, Title 27 of the 1976 Code is amended by adding:

“Section 27‑30‑175. (A) Owners and operators of a community pool and their agents are not liable in a claim or cause of action seeking damages for injury or death resulting from the transmission of Covid‑19 alleged to have resulted from the reopening of a community pool in accordance with applicable executive orders of the Governor. The immunity provided by this section does not apply to claims for injury or death resulting from gross negligence, wanton conduct, or intentional wrongdoing.

(B) This section applies to claims arising on or after January 1, 2020.

(C) As used in this section:

(1) ‘Covid‑19’ means the respiratory illness caused by the SARS‑CoV‑2 coronavirus.

(2) ‘Community pool’ means a private swimming pool that is open to members of a defined community including a swimming pool owned or operated by a multiunit apartment complex, homeowners association, or condominium unit owners association.”

SECTION 2. This act takes effect upon approval by the Governor.

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