



May 14, 2020

To the Arizona Congressional Delegation:

On behalf of the undersigned organizations representing hundreds of thousands of Arizonans working across multiple industry sectors, we thank you for your service and commitment to Arizona during this unprecedented time. Our organizations, too, are tirelessly working to safely serve our members, our customers, and Arizona communities.

While many of our member businesses have continued to operate throughout this pandemic and respond directly to the COVID-19 crisis, this period has also brought extraordinary legal uncertainty. **We call on Congress to act to prevent the abuse of meritless civil litigation otherwise certain to derail our economic recovery.**

The COVID-19 crisis has impacted both lives and livelihoods and, while mitigating the public health consequences has largely been the government's focus, we must implement policies to aid in the reopening of the Arizona and American economy. Throughout this crisis essential businesses continuing to operate have faced new challenges daily and quickly responded to rapidly changing guidelines from federal, state, local and public health officials. As businesses that were temporarily closed begin to reopen, they will also be confronted head on with these challenges as well.

Businesses are taking action to protect their employees, building tenants, and customers and are implementing new safety protocols and sanitation measures to control the spread of this disease. Congress should enact commonsense liability protections that would allow legitimate claims to proceed when appropriate but protect good actors from events beyond their control.

Throughout the pandemic we have been encouraged by businesses across all industries that have stepped up in response, from our front line first responders and medical personnel, to manufacturers and distributors changing their supply chains to respond to shortages of personal hygiene and protective equipment. By providing targeted and limited safe harbors and protections for good actors during this emergency and recovery, all businesses can continue to safely provide the services and products that are vital to Arizona's recovery without fear of abusive litigation.

Arizona businesses are calling on our congressional delegation to support targeted and limited liability protections in the following areas to ensure Arizona businesses that shoulder the responsibility of restarting Arizona's economy are not unnecessarily stifled by meritless lawsuits:

1. Exposure liability lawsuits are perhaps the greatest litigation threat as plaintiffs attorneys can and will target not only traditional businesses, but schools, churches, childcare facilities, and charities. Congress should enact legislation providing basic liability protections for businesses, landlords, and individuals.
2. Medical liability – Our health care providers are on the front lines of COVID-19, risking exposure themselves while rendering medical service to coronavirus patients. Medical facilities and providers should be able to continue to carry out these critical roles without fear of frivolous lawsuits.
3. Product liability – in the wake of the pandemic businesses and manufacturers have answered the call to produce, sell, and donate products that protect against, treat or test for COVID19. Congress now must act to expand the Public Readiness and Emergency Preparedness Act (PREP Act) to make clear that it covers these additional products and applies to "Good Samaritans" retroactive to the beginning of the pandemic.

Our organizations and members provide services and products vital to the health, safety and wellbeing of Arizona and will continue to be critical parts of Arizona's economic restart and recovery. Congress has acted in the past to provide limited safe harbors during a public crisis, and we hope can we count on you to do so again.

Thank you in advance for you work on behalf of Arizona. We stand ready to assist in any way you may find helpful.

Sincerely,

American Council of Engineering Companies of
Arizona
Apache Junction Chamber of Commerce
Arizona Association of Health Plans
Arizona Automobile Dealers Association
Arizona Bankers Association
Arizona Chamber of Commerce & Industry

Arizona Charter Schools Association
Arizona Farm Bureau Federation
Arizona Hospital and Healthcare Association
Arizona Leading Age
Arizona Licensed Beverage Association
Arizona Lodging and Tourism Association
Arizona Manufacturers Council

Arizona Medical Association
Arizona Osteopathic Medical Association
Arizona Restaurant Association
Arizona Retailers Association
Arizona Rock Products Association
Arizona Trucking Association
Associated General Contractors of America
Arizona Chapter
Beer & Wine Distributors of Arizona
Buckeye Valley Chamber of Commerce
Carefree Cave Creek Chamber of Commerce
Chandler Chamber of Commerce
Coolidge Chamber of Commerce
Cottonwood Chamber of Commerce
East Valley Chambers of Commerce Alliance
Eloy Chamber of Commerce
Fountain Hills Chamber of Commerce
Fresh Produce Association of the Americas
Gilbert Chamber of Commerce
Glendale Chamber of Commerce
Greater Flagstaff Chamber of Commerce
Greater Florence Chamber of Commerce
Greater Oro Valley Chamber of Commerce
Greater Phoenix Chamber of Commerce
Greater Phoenix Leadership
Green Valley Sahuarita Chamber of Commerce
& Visitor Center
Health System Alliance of Arizona
InvisionAZ
Lake Havasu Area Chamber of Commerce
Marana Chamber of Commerce
Maricopa Chamber of Commerce
Mesa Chamber of Commerce
National Association of Industrial Office
Properties (NAIOP) Arizona Chapter
North Phoenix Chamber of Commerce
Page Lake Powell Chamber of Commerce
Peoria Chamber of Commerce
Prescott Chamber of Commerce
Prescott Valley Chamber of Commerce
Queen Creek Chamber of Commerce
Scottsdale Chamber of Commerce
Southern Arizona Leadership Council
Southwest Valley Chamber of Commerce
Snowflake Taylor Chamber of Commerce
Surprise Regional Chamber of Commerce
Tempe Chamber of Commerce
Tucson Metro Chamber

United Dairyman of Arizona
Vail Area Chamber of Commerce
Valley Partnership
West Valley Chambers of Commerce Alliance
Wickenburg Chamber of Commerce
Wine & Spirits Wholesalers Association of
Arizona
Yuma County Chamber of Commerce