



POLICY BRIEF

ALASKA
POLICY FORUM

Alaska's Businesses Need COVID-19 Liability Protection Now

January 13, 2021

As Alaskans work to revive the state's economy after the economic downturn due to the COVID-19 pandemic, it is imperative that the government do its job of protecting the right of Alaskans to do business. One way to do this is by implementing business liability protection.

During the pandemic, government mandates and public health guidelines have helped customers and employees know what safety precautions and cleaning procedures businesses should take to protect them from COVID-19. But so far, Alaska businesses have been left in the dark as to how they will be protected from unexpected and expensive lawsuits from customers. COVID business liability protection would shield businesses that have taken appropriate precautions to avoid spreading coronavirus from being wrongfully sued by a customer for exposure.¹

If business owners take reasonable safety precautions by following available public health guidelines, they shouldn't have to work under the threat of virus-related litigation. In fact, polling from May 2020 tells us that 44 percent of Alaska's businesses face long-term negative impacts due to the economic shutdown.² Those numbers have most likely increased as the pandemic has dragged on. In order to recover, the last thing Alaska businesses need is to be financially burdened by lawsuits, despite taking steps to avoid spreading coronavirus.

Alaska should take action right away to protect our economy, jobs, businesses, and business owners by implementing a statewide COVID business liability protection policy. **COVID business liability protection is a key step in restarting our state's economy.**³

Other states across the country (at least sixteen) have already taken steps to protect their businesses since the pandemic began in early 2020, all the way from Utah to Michigan.⁴ To protect the state's economy and its businesses, Alaska should consider doing the

same. Alaska businesses need assurance that if they employ the right measures, they will be held harmless from further damage due to the pandemic, and that they are free to do business once again.

About Alaska Policy Forum

Alaska Policy Forum (APF) is a 501(c)(3) nonprofit, nonpartisan think tank dedicated to empowering and educating Alaskans and policymakers by promoting policies that grow freedom for all. Our vision is an Alaska that continuously grows prosperity by maximizing individual opportunities and freedom. APF does not accept any form of government funding.

Contact APF to Learn More

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¹ Andrew J. Geisler, "Policy Solutions for the Pandemic: Protecting Businesses and Workers from COVID-19 Related Lawsuits," The Buckeye Institute, May 8, 2020, <https://www.buckeyeinstitute.org/research/detail/the-buckeye-institute-ohio-needs-to-protect-businesses-and-workers-from-covid-19-related-lawsuits>.

² Melodie Wilterdink, "Coronavirus, the Economy, and Taxes: An Alaska Opinion Survey," Alaska Policy Forum, June 11, 2020, <https://alaskapolicyforum.org/2020/06/coronavirus-economy-taxes-survey/>.

³ Brian E. Finch, "Liability Protections Are Critical to Ensuring Economic Recovery," The Heritage Foundation, May 4, 2020, <https://www.heritage.org/courts/report/liability-protections-are-critical-ensuring-economic-recovery>.

⁴ Ronald Shoss and Cindy Dinh, "COVID-19 liability shield laws enacted in several US states," Mayer Brown, October 26, 2020, <https://www.lexology.com/library/detail.aspx?g=f7ee480a-41af-4e4a-a092-163cffd71726>.