



Since 1894

To: Senate Committee on Judiciary
Senator Rick Wilborn, Chair

From: Tucker A. Stewart, Associate Counsel, Kansas Livestock Association

Re: **AN ACT relating to liability associated with COVID-19.**

Date: May 18, 2020

The Kansas Livestock Association (KLA), formed in 1894, is a trade association representing nearly 5,600 members on legislative and regulatory issues. KLA members are involved in many aspects of the livestock industry, including seed stock, cow-calf, and stocker cattle production; cattle feeding; dairy production; swine production; grazing land management; and diversified farming operations.

Thank you, Chairman Wilborn and members of the Committee, for the opportunity to testify. KLA appears today as a proponent of limiting liability for COVID-19 related medical conditions.

As you are aware, the nation's food supply is critical to the security and welfare of America. The food chain, starting at the farm, has a special responsibility to maintain operations to the fullest extent possible during this state and national emergency. As you may know, on April 17, the U.S. Department of Homeland Security issued a new advisory memorandum to assist state and local governments in identifying "Essential Critical Infrastructure." Listed alongside law enforcement and healthcare workers is the food and agricultural industries.

The spread of coronavirus, and the world's response to it, has created a great deal of uncertainty in the U.S. and around the world. This bill would give liability protection to our critical infrastructure businesses, providing certainty that if certain steps are taken to mitigate the spread, the businesses will not be liable if the virus is still spread at the businesses' facilities. There is no question that this virus has dramatically impacted the agricultural industry. Significant disruptions have occurred in the supply chain leading to decreased commodity prices. If we don't provide liability protections to critical infrastructure, especially in the food sector, the world could continue to see supply chain disruptions. The last thing we want is for this virus to continue to harm the food supply chain into the future even after the virus is no longer a public health concern. It is important for businesses to have liability protections if they follow public health guidance. To that end, KLA has provided the agricultural industry multiple resources, including KDHE resources and CDC guidance for critical infrastructure workers, to ensure agricultural operations are protecting their workers and can access the liability protections in this bill.

Please support this bill, and in turn, support those businesses who are providing essential services to the general public during our time of crisis.