

**PANDEMIC EXPOSURE POLICY for the
ROYAL RIDGE PATIO HOMES ASSOCIATION, INC.**

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

WHEREAS, all of the property located in the Royal Ridge Unit VI Subdivision (the “Subdivision”) is subject to that certain Declaration of Covenants, Conditions and Restrictions recorded as Document No. 681627, and as amended, in the Official Public Records of Bexar County, Texas, (the “Declaration”);

WHEREAS, in accordance with the Declaration, the Royal Ridge Patio Homes Association, Inc., a Texas nonprofit corporation (the “Association”) was created to administer the terms and provisions of the Declaration. Unless the Declaration or applicable law expressly provides otherwise, the Association acts through a majority of its board of directors (the “Board”);

WHEREAS, the Association is empowered to enforce the restrictive covenants, bylaws, or similar instruments governing the administration or operation of the Association (collectively, the “Dedictory Instruments”);

WHEREAS, Section 148.003 of the Texas Civil Practice and Remedies Code was adopted effective June 14, 2021, regarding liability for causing exposure to a pandemic disease; and

WHEREAS, the Board of the Association desires to hereby establish a Pandemic Exposure Policy consistent with the provisions of Section 148.003 and to additionally provide clear and definitive guidance to its members.

NOW THEREFORE, the Board has duly adopted the following *Pandemic Exposure Policy* (the “Policy”):

PANDEMIC EXPOSURE POLICY

A person, including but not limited to Board Members and/or employees of the Association, is not liable for injury or death caused by exposing an individual to a pandemic disease during a pandemic emergency unless the claimant establishes that:

1. The person who exposed the individual:
 - A. Knowingly failed to warn the individual of or remediate a condition that the person knew was likely to result in the exposure of an individual to the disease, provided that the person:
 - i. Had control over the condition;

- ii. Knew that the individual was more likely than not to come into contact with the condition; and
 - iii. Had a reasonable opportunity and ability to remediate the condition or warn the individual of the condition before the individual came into contact with the condition; or
 - B. Knowingly failed to implement or comply with government-promulgated standards, guidance, or protocols intended to lower the likelihood of exposure to the disease that were applicable to the person or the person's business, provided that:
 - i. The person had a reasonable opportunity and ability to implement or comply with the standards, guidance, or protocols;
 - ii. The person refused to implement or comply with or acted with flagrant disregard of the standards, guidance, or protocols; and
 - iii. The government-promulgated standards, guidance, or protocols that the person failed to implement or comply with did not, on the date that the individual was exposed to the disease, conflict with government-promulgated standards, guidance, or protocols that the person implemented or complied with; and
- 2. Reliable scientific evidence shows that the failure to warn the individual of the condition, remediate the condition, or implement or comply with the government-promulgated standards, guidance, or protocols was the cause in fact of the individual contracting the disease.

Miscellaneous.

- a. Amendment. This Policy may be revoked or amended from time to time by the Board. This Policy will remain effective until the Association records an amendment to this Policy in the Official Public Records of Bexar County, Texas.
- b. Conflict. In the event of any conflict between this Policy and any Dedicatory Instrument of the Association, this Policy controls.
- c. Effective Date. This Policy is effective upon recordation in the Official Public Records of Bexar County, Texas.