

SESSION OF 2003

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2068

As Amended by Senate Committee on
Judiciary

Brief*

HB 2068 amends the Kansas Tort Claims Act to limit liability for the donation of certain equipment to a fire department, fire district, volunteer fire department, a medical emergency response team, or the Kansas Forest Service if the donor or donee believes the equipment is serviceable or may be made serviceable and the donee maintains the donated equipment in a safe and serviceable manner. The limitation also applies to the following:

- ! Equipment that is acquired through the Federal Excess Personal Property Program; or
- ! Any breathing apparatus or mechanical or electric device which functions to monitor, evaluate, or restore basic life functions, only if it is re-certified to the manufacturers specifications by a technician certified by the manufacturer.

The Senate Committee deleted as unneeded the amendment defining a member of a regional medical response team as an employee.

Background

The primary sponsor expressed written support for the bill. Support was also offered on behalf of the Kansas State Firefighters Association, the Kansas State Association of Fire Chiefs, the Rural Fire Coordinator with the Kansas Forest Service, the Wakarusa Township Fire Department, the Kanawaka Township Fire Department,

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org/klrd>

and the City of Overland Park. The conferee with the Kansas Trial Lawyers Association voiced support for the bill, as amended.

The fiscal note indicates there could be increased litigation expense for the Attorney General's Office; however, the extent of the increased litigation expenses is unknown.