

*As Amended by Senate Committee*

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*Session of 2011*

**SENATE BILL No. 142**

By Committee on Judiciary

2-8

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1 AN ACT concerning evidence in civil actions; expressions of apology,  
2 sympathy, commiseration or condolence not admissible as evidence of  
3 an admission of liability or as evidence of an admission against interest.

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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. Evidence of statements or gestures that express apology,  
7 sympathy, commiseration or condolence, ***or waivers of charges for***  
8 ***medical care provided***, concerning the consequences of an event in which  
9 the declarant was a participant is not admissible to prove liability for any  
10 claim growing out of the event. This section does not require the  
11 exclusion of any apology or other statement or gesture that ~~acknowledges~~  
12 ~~or implies~~ ***admits*** fault even though contained in, or part of, any statement  
13 or gesture excludable under this section.

14 Sec. 2. This act shall take effect and be in force from and after its  
15 publication in the statute book.

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