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**Testimony in Support of Senate Bill 42
Architects and engineers; immunity from liability in negligence under certain circumstances.**

**Presented to the Senate Judiciary Committee
By Kansas Attorney General Derek Schmidt**

March 6, 2013

Mister Chairman, members of the committee, thank you for the opportunity to present this testimony in support of Senate Bill 42.

Keeping Kansas children safe is among the foremost priorities of all elected leaders of our state. As parents, we expect our children to go to school in safe, secure environments. We are also aware that Kansas can be prone to weather events that put us all at risk, most significantly, the threat of tornadoes.

Video evidence recovered from the 2011 tornado in Joplin, Mo., revealed the fact that what we thought were the safest areas of a school during a tornado – hallways – might not have been the safest places for students to take shelter from the storm.

The bill before you today will allow licensed architects and engineers who voluntarily provide their services to review schools and help administrators identify the safest areas for children to take shelter from a storm without risking liability for personal injury or property damage.

Many architects and engineers have expressed willingness to perform such “safety audits” of our schools. The waiver of liability contained in this bill will remove a roadblock to this process.

Thank you for your thoughtful consideration of this measure.