

## SENATE BILL No. 42

By Committee on Federal and State Affairs

1-17

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1 AN ACT concerning civil actions; relating to architects and engineers;  
2 immunity from liability in negligence under certain circumstances.

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

5 Section 1. (a) An architect, defined and licensed under K.S.A. 74-  
6 7003 et seq., and amendments thereto, or professional engineer, defined  
7 and licensed under K.S.A. 74-7003 et seq., and amendments thereto, who  
8 voluntarily, without compensation or expectation of compensation,  
9 provides services and options for consideration for sheltering students in  
10 cases of emergencies at a structure located on school property, at the  
11 request of the board of education of a unified school district, the  
12 superintendent or other school district employee who exercises authority  
13 over school district property, or at the request of a person who exercises  
14 authority over accredited nonpublic school property, shall not be liable in  
15 negligence for any personal injury or property damage caused by the  
16 architect's or engineer's good faith but negligent services or options  
17 provided.

18 (b) (1) As used in this section, "school property" means any  
19 elementary or secondary school, attendance center, administrative office,  
20 services center or other facility.

21 (2) As used in this section, all other terms have the meanings  
22 provided by K.S.A. 72-89b02, and amendments thereto.

23 (c) Nothing in this section shall provide immunity for gross  
24 negligence or willful misconduct.

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