

SESSION OF 2013

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 42**

As Recommended by Senate Committee on  
Judiciary

**Brief\***

SB 42 would provide immunity from negligence claims for an architect or professional engineer who provides advice without compensation regarding emergency shelter options for students in structures on school property, when such advice is requested by certain district or school officials. The bill specifies it would not provide immunity for gross negligence or willful misconduct.

**Background**

The bill was introduced by the Senate Committee on Federal and State Affairs. The language of the bill is modeled on KSA 60-4201, which provides similar immunity for architects and professional engineers who provide structural inspection services without compensation following a natural disaster.

In the Senate Committee on Judiciary, the directors of the American Institute of Architects and the Kansas Center for Safe and Prepared Schools testified in support of the bill. Attorney General Derek Schmidt and the director of the American Council of Engineering Companies of Kansas provided written testimony supporting the bill.

The fiscal note prepared by the Division of the Budget on the bill indicates the bill would have no fiscal effect.

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\*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>