SENATE BILL No. 283

By Committee on Federal and State Affairs

3-1

1 AN ACT concerning the COVID-19 response and reopening for business
2   liability protection act; modifying immunity for certain persons
3   conducting business in this state for COVID-19 claims accruing on or
4   after March 12, 2020, and prior to termination of the state of disaster
5   emergency related to the COVID-19 public health emergency;
6   amending K.S.A. 2020 Supp. 60-5504, as amended by section 10 of
7   2021 Senate Bill No. 14, and 60-5508 and repealing the existing
8   sections.
9
10 *Be it enacted by the Legislature of the State of Kansas:*
11   Section 1. K.S.A. 2020 Supp. 60-5504, as amended by section 10 of
12 2021 Senate Bill No. 14, is hereby amended to read as follows: 60-5504.
13 (a) Notwithstanding any other provision of law, a person, or an agent of
14 such person, conducting business in this state shall be immune from
15 liability in a civil action for a COVID-19 claim if such person was acting
16 pursuant to and in substantial compliance with public health directives
17 applicable to the activity giving rise to the cause of action when the cause
18 of action accrued.
19   (b) The provisions of this section shall expire on March 31, 2021.
20   Sec. 2. K.S.A. 2020 Supp. 60-5508 is hereby amended to read as
21 follows: 60-5508. (a) The provisions of K.S.A. 2020 Supp. 60-5504, 60-
22 5505 and 60-5507, and amendments thereto, shall apply retroactively to
23 any cause of action accruing on or after March 12, 2020.
24   (b) The provisions of K.S.A. 2020 Supp. 60-5503*, 60-5504* and 60-
25 5506, and amendments thereto, shall apply retroactively to any cause of
26 action accruing on or after March 12, 2020, and prior to termination of the
27 state of disaster emergency related to the COVID-19 public health
28 emergency declared pursuant to K.S.A. 48-924, and amendments thereto.
29   Sec. 3. K.S.A. 2020 Supp. 60-5504, as amended by section 10 of
30 2021 Senate Bill No. 14, and 60-5508 are hereby repealed.
31   Sec. 4. This act shall take effect and be in force from and after its
32 publication in the Kansas register.