

**HOUSE BILL No. 2077**

By Committee on Judiciary

1-18

1 AN ACT concerning civil procedure; relating to immunity from liability  
2 for certain persons performing inspection, installation or adjustment of  
3 a child safety seat or providing education regarding installation or  
4 adjustment of a child safety seat.

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

7 Section 1. (a) Except as provided in subsection (b), a person and such  
8 person's employer, other than a manufacturer of child safety seats or an  
9 agent or employee of a manufacturer of child safety seats, shall not be  
10 liable in a civil action for damages resulting from an act or omission that  
11 occurs in the inspection, installation or adjustment of a child safety seat, or  
12 in providing education regarding the installation or adjustment of a child  
13 safety seat, if:

14 (1) The person:

15 (A) Has successfully completed the United States department of  
16 transportation national highway traffic safety administration national  
17 standardized child passenger safety certification program and maintains a  
18 current child passenger safety technician certification issued under such  
19 program;

20 (B) offers or arranges a nonprofit child safety seat educational  
21 program, checkup event or checking station program for the public with  
22 instruction by certified child passenger safety technicians; or

23 (C) owns property where a nonprofit child safety seat educational  
24 program, checkup event or checking station program for the public occurs  
25 with instruction by certified child passenger safety technicians; and

26 (2) the services are provided:

27 (A) Without a fee, other than for the reimbursement of actual  
28 expenses;

29 (B) in good faith; and

30 (C) within the scope of training for which the person is currently  
31 certified.

32 (b) This section does not apply to a civil action:

33 (1) For damages resulting from gross negligence or willful  
34 misconduct; or

35 (2) where the inspection, installation or adjustment of a child safety  
36 seat, or education provided regarding the inspection, installation or

1 adjustment of a child safety seat, is performed in conjunction with the for-  
2 profit sale of a child safety seat.

3 (c) The provisions of this section shall apply to all covered civil  
4 actions filed after July 1, 2017, regardless of when the cause of action  
5 accrued.

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