

HOUSE BILL No. 2786

AN ACT concerning public entities; amending K.S.A. 46-922 and 72-8201 and repealing the existing sections; also repealing K.S.A. 2005 Supp. 75-3317a, 75-3319a, 75-3320a and 75-3322a.

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

Section 1. K.S.A. 72-8201 is hereby amended to read as follows: 72-8201. Each unified school district shall be designated by the name and style of “unified school district No. _____ (the number designated by the state board of education), _____ county (naming the home county of the unified school district), state of Kansas,” and by such name may sue and be sued, execute contracts and hold such real and personal property as it may acquire. Every unified school district shall possess the usual powers of a corporation for public purposes. The board of education of every unified school district may delegate to the superintendent of schools the power to execute contracts on behalf of the district for the purchase of goods and services if the value of such goods or services is ~~less than \$10,000~~ \$20,000 or less.

Sec. 2. K.S.A. 46-922 is hereby amended to read as follows: 46-922. (a) As used in this section and in K.S.A. 46-923, and amendments thereto, the term “state agency” shall have the meaning ascribed thereto in K.S.A. 75-3701, and amendments thereto.

(b) The head of any state agency is authorized to make payment to the officers or employees of such state agency for property damage or loss occurring while that officer or employee is acting within the scope of such office or employment if such property loss or damage, in the opinion of the state agency head, did not occur as a result of negligence of the claimant.

(c) Except as otherwise provided by this section, the head of any state agency is authorized to make payment to any other person for personal injury or property damage or loss occurring under circumstances which establish, in the state agency head’s opinion, that such damage or loss was caused by the negligence of the state or any agency, officer or employee thereof. The secretary of social and rehabilitation services is authorized to make payment from funds appropriated to the secretary for the homemaker program to any person for personal injury or property damage or loss caused by an act of a homemaker employed by the secretary.

(d) Except as otherwise provided by this section, no payment shall be made under this section on any claim for an amount in excess of \$1,000 or in any amount on a claim by a person who is an insurer and who is making the claim as a subrogee for all or part of any amount paid to such person’s insured.

(e) The vice-chancellor of the university of Kansas medical center is authorized to make payment in an amount of not more than \$2,500 to any other person for a claim made against the hospital of the university of Kansas medical center for personal injury or property damage or loss occurring under circumstances which establish, in the vice-chancellor’s opinion, that (1) such damage or loss was caused by the negligence of the hospital of the university of Kansas medical center or any officer or employee thereof or (2) that such damage or loss occurred at the hospital of the university of Kansas medical center and it is in the best interests of such hospital to make such payment. No payment shall be made under this subsection in any amount on a claim by a person who is an insurer and who is making the claim as a subrogee for all or part of any amount paid to such person’s insured.

(f) No payment shall be made under this section for any loss sustained to a state employee’s personal conveyance, or any related expense, when the conveyance was used on official state business.

(g) *The superintendent of the Kansas highway patrol is authorized to make payment in an amount of not more than \$2,500 to any other person for a claim made against the Kansas highway patrol for personal injury or property damage or loss occurring under circumstances which establish, in the superintendent’s opinion, that such damage or loss occurred during law enforcement efforts by the Kansas highway patrol to persons who were not negligent during such effort. No information filed pursuant to this subsection, testimony or evidence presented to the Kansas highway patrol, or determination, finding or recommendation of the superintendent shall be admissible in any subsequent civil or criminal proceeding. The Kansas highway patrol is authorized to adopt rules and regulations to implement this subsection.*

Sec. 3. K.S.A. 46-922 and 72-8201 and K.S.A. 2005 Supp. 75-3317a, 75-3319a, 75-3320a and 75-3322a are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the HOUSE, and passed that body

HOUSE adopted
Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

SENATE adopted
Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.