

March 10, 2021

The Honorable Kellie Warren, Chairperson
Senate Committee on Judiciary
Statehouse, Room 441B-E
Topeka, Kansas 66612

Dear Senator Warren:

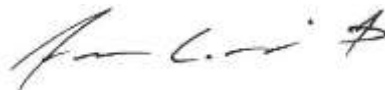
SUBJECT: Fiscal Note for SB 283 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 283 is respectfully submitted to your committee.

Under current law, a person conducting business in Kansas is immune from liability in a civil action for a COVID-19 claim if the person was acting in substantial compliance with public health directives applicable to the activity being litigated. This current provision expires on March 31, 2021. SB 283 would remove the sunset date from statute and would have the immunity retroactively apply on or after March 12, 2020, and prior to the termination of the COVID-19 public health state of disaster emergency.

SB 283 has the potential for reducing litigation in the courts, as the bill would remove the current sunset date for immunity from liability on COVID-19 civil actions in addition to making the immunity retroactive on or after March 12, 2020, until the termination of the COVID-19 public health state of disaster emergency. However, it is not possible to estimate the reduced number of court cases that would occur and a fiscal effect cannot be estimated. Any fiscal effect associated with SB 283 is not reflected in *The FY 2022 Governor's Budget Report*.

Sincerely,



Adam Proffitt
Director of the Budget

cc: Debbie Thomas, Judiciary
Willie Prescott, Office of the Attorney General