

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
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**MEMORANDUM**

To: Senate Committee on Judiciary  
From: Office of Revisor of Statutes  
Date: March 2, 2021  
Subject: Bill Brief for SB 283

Senate Bill 283 changes the business liability provision in the COVID-19 response and reopening for business liability protection act.

Section 1 amends K.S.A. 60-5504, as amended by section 10 of 2021 Senate Bill No. 14, the statute that provides immunity from liability in a civil action for a COVID-19 claim for a person, or an agent of such person, conducting business in this state if such person was acting pursuant to and in substantial compliance with public health directives applicable to the activity giving rise to the cause of action when the cause of action accrued. The section is set to expire on March 31, 2021, but the bill removes this sunset provision.

Section 2 amends K.S.A. 60-5508, the applicability provision of COVID-19 response and reopening for business liability protection act. Under the current law in subsection (a), K.S.A. 60-5504 applies retroactively to any cause of action accruing on or after March 12, 2020. The bill moves K.S.A. 60-5504 to subsection (b) to make the provisions apply retroactively to any cause of action accruing on or after March 12, 2020, and prior to termination of the state of disaster emergency related to the COVID-19 public health emergency declared pursuant to K.S.A. 48-924.

The bill would take effect after its publication in the Kansas register.