



Senate Committee on Judiciary

Testimony in Support of Senate Bill 283

Presented by Eric Stafford, Vice President of Government Affairs

Tuesday, March 2, 2021

Madam Chair and members of the committee, my name is Eric Stafford, Vice President of Government Affairs for the Kansas Chamber. The Kansas Chamber represents small, medium and large businesses of all industry segments across the state. We appreciate the opportunity to testify in support of Senate Bill 283, which extends the business liability protections until the end of the emergency declaration.

Thank you for extending the business liability protections until March 31, by passing Senate Bill 14 earlier this session. As our testimony stated in January, we often hear about “unprecedented times” but in 2020, nothing has been truer. The last year has been a difficult time for everyone from students, to business owners, to government officials. The rapid development and the continued distribution of vaccines gives us hope that we can return to normal as we move further into 2021.

Over the last year, businesses adapted for survival. Remote work is normal. Travel has been restricted or stopped all together. Safety precautions such as protective equipment and additional sanitization requirements have been put in place by businesses whose top concern is employee and customer safety. Unfortunately, we’ve seen too many businesses close.

The Special Session of 2020 saw the Legislature pass and Governor sign, HB 2006 to address deficiencies in the emergency management act, and offer health care providers and businesses limited liability protections. The COVID-19 response and reopening for business liability protection act signed into law protects anyone conducting business in the 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.

HB 2006 also offered limited product liability protection for anyone who made, sold, distributes or provided a qualified product in response to the COVID-19 emergency if such actions were taken at the request of or in response to a written directive finding a public need for a qualified product issued by the Governor, Adjutant General, or Division of Emergency Management. That provision did not have an expiration date.

We appreciate the opportunity to testify in support of Senate Bill 283. I am happy to answer any questions at the appropriate time.