

5109

Sponsor(s): Senators Patterson, McAuliffe, Prentice, Johnson, Hochstatter, Brown, Heavey, Kline, Finkbeiner, Benton, Winsley, Oke and Kohl-Welles

Brief Description: Creating limited immunity for school districts.

SB 5109.E - DIGEST

(DIGEST AS ENACTED)

Provides that, in order to facilitate school districts permitting the use of school buildings for use by private nonprofit groups operating youth programs, school districts shall have a limited immunity in accordance with this act.

Declares that nothing in this act, including a school district's failure to require a private nonprofit group to have liability insurance, broadens the scope of a school district's liability.

Provides that a school district shall not be liable for an injury to or the death of a person due to action or inaction of persons employed by, or under contract with, a youth program if:

- (1) The action or inaction takes place on school property and during the delivery of services of the youth program;

- (2) the private nonprofit group provides proof of being insured, under an accident and liability policy issued by an insurance company authorized to do business in this state, that covers any injury or damage arising from delivery of its services. Coverage for a policy meeting the requirements of this section must be at least fifty thousand dollars due to bodily injury or death of one person, or at least one hundred thousand dollars due to bodily injury or death of two or more persons in any incident; and

- (3) the group provides proof of such insurance before the first use of the school facilities. The immunity granted shall last only as long as the insurance remains in effect.