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Senate Bill No. 137

"An Act requiring suicide awareness and prevention training for certain school personnel."

Explanation of Changes

HCSSB 137(EDC) amended the original bill, SB 137, 27-LS0057\ M, on page 2, adding sections (c) and (d).

Subsection (c) provides specific tort immunity in addition to limited immunity already provided under state law for damages in a civil action against the state or a school district, or an officer, agent, or employee of the state or a school district for death, personal injury, or property damage that results from an act or omission in performing or failing to perform activities or duties authorized under this subsection. The language makes clear that this section does not apply to a civil action for damages as a result of intentional misconduct.

Subsection (d) states that the training provided or the failure to provide training under this section may not be construed to impose a specific duty of care on any person.

In short, the House Committee Substitute for Senate Bill No. 137 limits damages for tort actions in negligence, the *prima facie* case of which is defined as a duty, breach of duty, causation, and damages. Note however, the causal connection in such negligence cases may be hard to prove and tenuous at best.