

**SFA**

BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

(517) 373-5383

Senate Bill 432

Sponsor: Senator Frederick Dillingham

Committee: Education and Mental Health

Date Completed: 4-23-90

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SUMMARY OF SENATE BILL 432 as introduced 5-9-89:

The bill would amend the School Code to provide that a local school district and its employees, or a private organization with which the school district contracted and the private organization's employees, would not be liable for civil damages as a result of acts or omissions that occurred in transporting a handicapped person as an ancillary or related service, or to enable the person to participate in a special education program or service. The bill specifies that it would not apply to an act or omission that amounted to gross negligence or willful or wanton misconduct.

(The School Code requires a local school board to provide by contract or agreement for the transportation of a handicapped person who otherwise would not be able to participate in an appropriate special education program or service operated or contracted for by the local school district.)

MCL 380.1756

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bill would have no fiscal impact on the State.

There would be indeterminate cost savings to local school districts from not being liable for ordinary negligence. It is not known how much is currently being paid for actions arising out of negligent acts in transporting handicapped persons.

Fiscal Analyst: A. Rich

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

S.B. 432 (4-23-90)