**New law - SB 56 - Permit Immunity for Use of Schools**

As many of you are aware, the Legislature passed SB 56 which becomes effective today, May 13th.  This new law grants governmental immunity to schools when they "permit" use of their school/grounds to non-commercial groups/individuals.  Schools are currently required by the Legislature to be open to the community as "civic centers".

The Legislature expects in return that the schools will no longer require non-commercial users to bring evidence of sufficient liability insurance for that use.  Therefore,**State Risk Management no longer recommends you require this insurance for non-commercial users (which include individuals and community groups).**For commercial users of the school/grounds where profit will be generated from the school's building or property use, Risk is not sure the civic centers statute applies; therefore the schools may want to get the indemnification, insurance, and additional insured protections as before.

**So how will the "permit" work?**

Risk recommends that in your property use policy and use agreements you change the name of the documents to something like "Permit and Use Policy" or "Permit and Use Agreement" and include language such as, "the use of school buildings and grounds is granted pursuant to the Utah Civic Center statutes at UCA § 53A-3-413 - 414. Approval under this policy is a Permit under the Civic Center statutes and grants the District full legal immunity under the Governmental Immunity Act of Utah pursuant to § 63G-7-301."  Attached is a sample use agreement and permit.

**How will individuals/groups that walk onto the grounds be advised of the new permit immunity for their use?**

I have attached a copy of a 12" x 18" sign for schools to display advising users of the permit immunity.  Risk Management has purchased two signs for each school.  Additional signs will be available to the districts/schools for a low price.  We anticipate these signs being delivered by our great Loss Prevention Specialists to each school district around the end of May, first part of June. You'll want to consider the best locations for these signs to give notice to those who use the grounds but don't go through the office for permission.

**Does this mean the school or the district won't be sued for injuries occurring on the property?**  We wish we could guarantee that, but anyone can sue.  Hopefully the permit immunity notice in your policy, Permit and Use Agreement and the signs on your property will dissuade future lawsuits.  But in the event your school or district is named in a lawsuit for this use, State Risk and the AG's office will argue that you have governmental immunity and request the court dismiss the case.

If you have any questions, please do not hesitate to contact our office.  We appreciate all that you do!

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