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300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: Senate Committee on Financial Institutions and Insurance
From: Office of Revisor of Statutes
Date: March 8, 2023
Subject: Bill Brief, HB 2285

HB 2285 makes updates to certain statutory references contained in K.S.A. 40-201, 40-216, 40-241 and 40-955. The updates were made for different reasons that I will describe.

Section 1 amends K.S.A. 40-201, which defines "insurance company." Originally drafted and enacted in 1927, the statute was last amended in 1935. Here the internal reference was changed from K.S.A. 40-701 (line 12) to 40-738 because K.S.A. 40-701 was repealed in 1988. We also made some updates to the language to bring it current.

Section 2 amends K.S.A. 40-216. Here, we fixed an internal cross reference to K.S.A. 40-955. Current practice is to remove the subsection designation in a statutory cross reference, so you can see that we simply struck the "subsection (i) of" in line 33 of the bill and just left the statute number. We also updated some language here as well.

Section 3 amends K.S.A. 40-241 by correcting an internal reference to a repealed statute on page 5, line 13 of the bill. And here again, we updated the language.

Finally, in Section 4, we fixed an internal statutory reference that was not updated when the statute was last amended in 2011. You can see that change on page 8, line 29. As we did previously, we made some changes to the language to conform the statute to current drafting practices.

HB 2285 was passed unanimously by the House Committee of the Whole on February 21, 2023.