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MEMORANDUM

To: House Committee on Judiciary
From: Office of Revisor of Statutes
Date: February 12, 2026
Subject: Bill Brief for HB 2754 (As Introduced)

House Bill 2754 enacts the providing civil relief from coerced debt act to provide protections and remedies for victims of certain debts constituting a coerced debt because of actions by another individual within the context of domestic violence.

The bill would enact new Sections 1 through 4, to be known as the providing civil relief from coerced debt act. Section 1 names the act and provides that the act shall be construed liberally and remedially to effectuate its purpose of providing protections and remedies for victims of coerced debt.

Section 2 defines terms used in the act. "Coerced debt" means a debt, or a portion thereof, that was incurred because of the following within the context of domestic violence as defined in K.S.A. 21-5111: Identity theft; fraud; duress; intimidation; threat; force; coercion; manipulation; undue influence; misinformation; or the nonconsensual use of the debtor's personally identifiable information. "Debt" means an obligation or an alleged obligation to pay money, except that "debt" does not include an obligation or an alleged obligation to pay money that is secured by real property. "Economic abuse" means behavior that is coercive, deceptive, manipulative or restrains, sabotages or unreasonably controls a person's ability to acquire, use or maintain economic resources to which they are entitled. "Perpetrator of coerced debt" means an individual who causes or is alleged to have caused debt to be incurred by another because of economic abuse. "Statement of coerced debt" means a statement made by a debtor to a creditor orally or in writing that conveys certain information about the debt or portion thereof to allow a creditor to identify the account associated with the debt and the claim that such debt is a coerced debt.

Section 3 provides that within 10 business days after receipt of a debtor's statement of coerced debt, the creditor shall notify any consumer reporting agency to which the creditor furnished adverse information about the debtor that the debtor disputes the adverse information. If the debtor provides both a statement of coerced debt and adequate documentation to the creditor, the creditor shall take the following actions within 10 business days after receipt: (1) Cease all attempts to collect the coerced debt from the debtor; (2) refrain from filing any lawsuit to collect the coerced debt or, if a collection action has already been filed, dismiss the action as against the debtor unless the creditor is challenging that the debt is not a coerced debt in such action pursuant to section 4(b), and amendments thereto; (3) cease all garnishment of funds from the debtor; (4) return to the debtor any payments that were made by such debtor or received as part of a garnishment of funds from such debtor on the coerced debt; (5) notify the debtor that the creditor is ceasing all attempts to collect the debt from such debtor based on such debtor's claim of coerced debt; (6) contact any consumer reporting agency to which the creditor furnished information about the debtor and the coerced debt and request that such reporting agency delete such information; and (7) refrain from selling the debt or transferring such debt for consideration. If the creditor does not own such debt and is collecting such debt for another, the creditor shall notify the owner of such debt that such creditor has ceased collection activities against the debtor because such debt is a coerced debt.

If the debtor provides to a creditor a statement that includes some but not all of the information required of a statement of coerced debt or provides an oral statement of coerced debt without adequate documentation, the creditor shall notify such debtor within five business days, using such debtor's preferred contact method, of the additional information needed to complete the statement of coerced debt and of the adequate documentation requirement. If the creditor provides this notice orally, such creditor shall inform the debtor of the option to receive the notice in writing. A creditor who provides the debtor with the form published by the office of the state bank commissioner complies with the requirement for notifying the debtor of the additional information needed to complete the statement of coerced debt and of the adequate documentation. On or before January 1, 2027, the office of the state bank commissioner, in collaboration with the national consumer law center, shall publish a form for use under this act that is substantially similar to model form A–1 published by the national consumer law center.

Section 4 provides that a debtor is not liable for a coerced debt. A debtor may raise as a defense in any forum and by any allowable procedure that a particular debt, or portion thereof, is a coerced debt. The debtor establishes a prima facie case that a debt is a coerced debt by providing a statement of coerced debt and adequate documentation. If the creditor has a good faith basis to believe that such debt is not a coerced debt, such creditor may seek a court order in a court of competent jurisdiction declaring such debt is not a coerced debt. In such a suit, the creditor has the burden to disprove the debt is a coerced debt.

Section 4 also provides that a person shall not cause another person to incur a coerced debt. A person who is found to be a perpetrator of coerced debt by a court of competent jurisdiction shall be civilly liable to the creditor. The perpetrator of coerced debt may also be civilly liable to the debtor to the extent that such debtor made payments or incurred costs related to the coerced debt. A creditor may use all legal rights and remedies to collect the coerced debt from the perpetrator of coerced debt.

Any creditor who fails to comply with any of the provisions of section 3, and amendments thereto, is liable to the debtor for: (1) Any actual damages sustained by the debtor as a result of such noncompliance; (2) court costs and reasonable attorney fees as determined by the court; and (3) punitive damages if the court finds that a creditor's noncompliance was willful. The provisions of this act apply to lawsuits filed in this state regardless of whether a related contract provides that the law of another state is chosen.

HB 2754 would take effect from and after publication in the statute book, July 1, 2026.