

SESSION OF 2007

SUPPLEMENTAL NOTE ON SENATE BILL NO. 162

As Amended by Senate Committee on
Judiciary

Brief*

SB 162, as amended, would delete the requirement for delivery by return receipt of stockholder or member consents authorizing an action of a corporation.

Background

The proponent of the bill was Richard Hayse on behalf of the Kansas Bar Association (KBA). He testified that in 2004 SB 29, the Legislature adopted an extensive revision of the corporation code as a result of a study by an *ad hoc* KBA committee to update the Code and bring it into conformity with ongoing revisions to the Delaware Corporation Code. Consistent with the Delaware changes, the KBA recommended requiring stockholders or members to return their written consents to the corporation by hand delivery or by return receipt delivery. In practice, however, the requirement proved needlessly burdensome. The bill is intended to allow delivery to revert to the previous practice of using regular mail service.

There was no testimony in opposition to the bill.

The Committee made a technical amendment to the bill.

The fiscal note from the Division of Budget states that passage of the bill would have no fiscal effect on state operations.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>