

SESSION OF 2008

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 465**

As Recommended by Senate Committee on  
Financial Institutions and Insurance

**Brief\***

SB 465 would amend the law governing the filing of certain forms to allow the Insurance Commissioner to disapprove a filed insurance or indemnity contract because the contract does not comply with Kansas law.

Under current law, the Commissioner is allowed to disapprove a form filing because the rates are determined to be inadequate, excessive, unfairly discriminate, or otherwise fail to meet the requirements of the law.

**Background**

The bill was introduced at the request of the Kansas Insurance Department whose representative indicated that the bill would clarify insurance law, as the language pertaining to rates exists elsewhere in statute (KSA 40-955[d]) and the presence of the rating language in the form statute creates confusion. The bill was supported by The State Farm Insurance Companies who representative requested an amendment to delete the phrase "Kansas law" in the amended provisions of the bill and insert current statutory language, "requirements of this act." There was no opposition to the bill at the time of the Committee hearing.

The fiscal note prepared by the Division of the Budget states that the Kansas Insurance Department indicates there will be no fiscal effect associated with the enactment of the bill.

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\*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>