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MEMORANDUM

To: House Committee on Judiciary
From: Office of Revisor of Statutes
Date: March 5, 2025
Subject: Bill Brief for SB 244 (As Amended by Senate Committee of the Whole)

Senate Bill 244 prohibits a compensated surety from making loans for certain portions of the required minimum appearance bond premium.

The bill amends K.S.A. 22-2809b, the statute about regulation of compensated sureties. Current law in subsection (d) requires a compensated surety to charge a minimum appearance bond premium of 10% of the face amount of the appearance bond and only post a bond after the compensated surety has received at least $\frac{1}{2}$ of the required minimum appearance bond premium either by cash, check, credit card, debit card, or bank or wire transfer. In addition, a compensated surety shall enter into a premium financing agreement for any unpaid minimum appearance bond premium amount.

The bill adds that a compensated surety shall not provide a loan for the portion of the minimum appearance bond premium required before posting bond and shall not be an owner, in whole or in part, or in any way affiliated with any financial institution making loans for the portion of the minimum appearance bond premium required before posting bond. The bill, as introduced, would have added that any loan obtained for the purpose of paying such required portion shall be obtained from a financial institution that is properly licensed in Kansas, but the Senate Committee of the Whole amendment removed that proposed addition.

The bill would take effect from and after publication in the statute book, July 1, 2025.