



DATE: Feb. 2, 2026

TO: The Honorable Kellie Warren  
Members of the Senate Judiciary Committee

FROM: Elizabeth Smoller, General Counsel  
Kansas Association of Insurance Agents

RE: KAIA is in support of SB 413

On behalf of the Kansas Association of Insurance Agents (KAIA), I respectfully submit this letter in support of Senate Bill 413, which would prohibit legal counsel in civil actions from suggesting a specific dollar amount to award as damages for noneconomic loss.

KAIA represents approximately 300-member insurance agencies across the state of Kansas who serve individuals, families, employers, and communities throughout the state. Our members see firsthand the importance of a fair and balanced civil justice system as well as a healthy and competitive insurance marketplace.

SB 413 represents an important step toward preserving fairness and integrity in Kansas civil trials. Noneconomic damages—such as pain and suffering, emotional distress, or loss of companionship—are inherently subjective. Unlike economic damages, they are not readily measurable through invoices, wage records, or other objective evidence that is easier to calculate.

Allowing counsel to suggest a specific monetary figure or a range of dollar amounts invites the risk of anchoring, a well-known phenomenon in which an initial number—regardless of its evidentiary basis—can disproportionately impact decision-making. When jurors hear a proposed figure, that number may serve as a reference point rather than a conclusion based on independent judgment and the factual evidence presented during trial.

Importantly, SB 413 does not prevent plaintiffs from presenting evidence of harm, nor does it prevent juries from awarding noneconomic damages when they deem it appropriate. Rather, the bill supports a more neutral and evidence-based courtroom process by reducing the likelihood of speculative damage awards. The bill promotes a trial environment in which damage determinations remain rooted in reasoned evaluation rather than an arbitrary starting point suggested by an attorney whose compensation is dependent on the ultimate award.



Unpredictable and disproportionate noneconomic damage awards can contribute to increased litigation and settlement costs across the civil justice system. Those costs do not remain isolated to the parties in a single case — they can ripple outward and ultimately affect Kansans through higher insurance premiums, reduced affordability, and increased financial pressure on families, employers, and communities. By promoting a more evidence-based and neutral process for determining noneconomic damages, SB 413 supports greater fairness, consistency, and stability for all involved.

For these reasons, we respectfully urge the Committee to support SB 413 and pass it out favorably.

Thank you for your time and consideration.