

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on **Judiciary** recommends **SB 426** be amended on page 1, in line 35, by striking all after "means"; in line 36, by striking all before the period and inserting "a natural person who resides or is domiciled in Kansas and a plaintiff in a civil action in Kansas. "Consumer" includes the state of a decedent who was domiciled in Kansas at the time of death if the civil action is a wrongful death claim";

On page 7, in line 20, by striking all after "(1)"; by striking all in lines 21 through 34 and inserting "The attorney general, upon a finding that a consumer legal funding company has willfully violated the provisions of this act after notice and opportunity for hearing in accordance with the Kansas administrative procedure act, may assess upon such consumer legal funding company a civil penalty of not to exceed \$10,000 per violation.

(2) In addition to any civil penalty assessed pursuant to paragraph (1), such consumer legal funding company shall not recover the funded amount or any charges under such consumer legal funding contract.

(3) Any civil penalty recovered pursuant to this subsection shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

(4) All civil penalties assessed pursuant to this subsection shall be due and payable within 10 days after written notice of assessment is served on the person. If a civil penalty is not paid within the applicable time period, the attorney general may file a certified copy of the notice of

assessment with the clerk of the district court in the county where the violation occurred. The notice of assessment shall be enforced in the same manner as a judgment of the district court.

(5) Any action by the attorney general pursuant to this subsection shall be subject to review in accordance with the Kansas judicial review act.";

And the bill be passed as amended.

_____Chairperson