2012 Kansas Statutes

40-2609.   Premium finance agreement. No premium finance agreement shall be issued or delivered in this state until the form of the same has been filed with the commissioner of insurance, nor if the commissioner of insurance gives written notice within thirty (30) days of such filing to the licensee proposing to issue such premium finance agreement, showing wherein the form of such premium finance agreement does not comply with the requirements of the laws of this state; but the failure of any licensee to comply with this section shall not constitute a defense to any action brought on its premium finance agreement. A premium finance agreement shall: (a) Be dated, signed by or on behalf of the insured, and the printed portion thereof shall be in at least 8-point type,

(b)   contain the name and place of business of the insurance agent negotiating the related insurance contract, the name and residence or the place of business of the insured as specified by him, the name and place of business of the premium finance company to which payments are to be made, a description of the insurance contracts involved and the amount of the premium therefor; and

(c) set forth the following items where applicable:

(1)   The total amount of the premiums,

(2)   the amount of the down payment,

(3)   the principal balance (difference between items (1) and (2)),

(4)   the annual percentage rate and the dollar amount of the total charges (including any additional charge),

(5)   the balance payable by the insured (sum of items (3) and (4)), and

(6)   the number of installments required, the amount of each installment expressed in dollars, and the due date or period thereof. The items set out in subsection (c) of this section need not be stated in the sequence or order in which they appear in such clause, and additional items may be included to explain the computations made in determining the amount to be paid by the insured.

History: L. 1968, ch. 287, § 9; L. 1971, ch. 172, § 1; April 1.