

1 **As Amended by House Committee**

2  
3 **[As Amended by Senate Committee of the Whole]**

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5 **As Amended by Senate Committee**

6 *Session of 2001*

7  
8 **SENATE BILL No. 176**

9  
10 By Committee on Judiciary

11  
12 1-31

13  
14 AN ACT concerning corporations; relating to professional corporations;  
15 amending K.S.A. 2000 Supp. 17-2707 and repealing the existing  
16 section.

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18 *Be it enacted by the Legislature of the State of Kansas:*

19 Section 1. K.S.A. 2000 Supp. 17-2707 is hereby amended to read as  
20 follows: 17-2707. As used in this act, unless the context clearly indicates  
21 that a different meaning is intended, ~~the following words mean:~~

22 (a) "Professional corporation;" *means* a corporation organized under  
23 this act.

24 (b) "Professional service;" *means* the type of personal service ren-  
25 dered by a person duly licensed by this state as a member of any of the  
26 following professions, each paragraph constituting one type:

27 ~~—(1) A certified public accountant;~~

28 ~~—(2) an architect;~~

29 ~~—(3) an attorney at law;~~

30 ~~—(4) a chiropractor;~~

31 ~~—(5) a dentist;~~

32 ~~—(6) an engineer;~~

33 ~~—(7) an optometrist;~~

34 ~~—(8) an osteopathic physician or surgeon;~~

35 ~~—(9) a physician, surgeon or doctor of medicine;~~

36 ~~—(10) a veterinarian;~~

37 ~~—(11) a podiatrist;~~

38 ~~—(12) a pharmacist;~~

39 ~~—(13) a land surveyor;~~

40 ~~—(14) a licensed psychologist;~~

41 ~~—(15) a specialist in clinical social work;~~

42 ~~—(16) a registered physical therapist;~~

43 ~~—(17) a landscape architect;~~

- 1 —(18) a registered professional nurse;  
2 —(19) a real estate broker or salesperson; and  
3 —(20) a licensed clinical professional counselor;  
4 —(21) **geologist;**  
5 —(22) **clinical psychotherapist;**  
6 —(23) **clinical marriage and family therapist; and**  
7 —(24) **any other provider of professional services licensed by a**  
8 **regulating board.**

9 ~~*Licensed as a professional by a regulating board in this state.*~~  
10 **duly licensed by this state as a member of any of the following**  
11 **professions, each paragraph constituting one type:**

- 12 (1) **A certified public accountant;**  
13 (2) **an architect;**  
14 (3) **an attorney-at-law;**  
15 (4) **a chiropractor;**  
16 (5) **a dentist;**  
17 (6) **an engineer;**  
18 (7) **an optometrist;**  
19 (8) **an osteopathic physician or surgeon;**  
20 (9) **a physician, surgeon or doctor of medicine;**  
21 (10) **a veterinarian;**  
22 (11) **a podiatrist;**  
23 (12) **a pharmacist;**  
24 (13) **a land surveyor;**  
25 (14) **a licensed psychologist;**  
26 (15) **a specialist in clinical social work;**  
27 (16) **a registered physical therapist;**  
28 (17) **a landscape architect;**  
29 (18) **a registered professional nurse;**  
30 (19) **a real estate broker or salesperson;**  
31 (20) **a clinical professional counselor;**  
32 (21) **a geologist;**  
33 (22) **a clinical psychotherapist; and**  
34 (23) **a clinical marriage and family therapist.**

35 (c) “Regulating board;” *means* the ~~*court.*~~ board or state agency  
36 which is charged with the licensing and regulation of the practice of the  
37 profession which the professional corporation is organized to render.

38 (d) “Qualified person” *means*:

- 39 (1) Any natural person licensed to practice the same type of profes-  
40 sion which any professional corporation is authorized to practice;  
41 (2) the trustee of a trust which is a qualified trust under subsection  
42 (a) of section 401 of the *federal* internal revenue code ~~of 1954, as~~  
43 ~~amended, as in effect on January 1, 2001,~~ or of a contribution plan which

1 is a qualified employee stock ownership plan under subsection (a) of sec-  
2 tion 409A of the *federal* internal revenue code of 1954, as amended, as  
3 *in effect on January 1, 2001*; or

4 (3) the trustee of a revocable living trust established by a natural  
5 person who is licensed to practice the type of profession which any pro-  
6 fessional corporation is authorized to practice, if the terms of such trust  
7 provide that such natural person is the principal beneficiary and sole  
8 trustee of such trust and such trust does not continue to hold title to  
9 professional corporation stock following such natural person's death for  
10 more than a reasonable period of time necessary to dispose of such stock.

11 Sec. 2. K.S.A. 2000 Supp. 17-2707 is hereby repealed.

12 Sec. 3. This act shall take effect and be in force from and after its  
13 publication in the statute book.

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