

## HOUSE BILL No. 2036

By Representative Carter

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9 AN ACT concerning insurance contracts; relating to the applicability of  
10 arbitration provisions; amending K.S.A. 5-401 and repealing the exist-  
11 ing section.  
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13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 5-401 is hereby amended to read as follows: 5-401.

15 (a) A written agreement to submit any existing controversy to arbitration  
16 is valid, enforceable and irrevocable except upon such grounds as exist at  
17 law or in equity for the revocation of any contract.

18 (b) Except as provided in subsection (c), a provision in a written con-  
19 tract to submit to arbitration any controversy thereafter arising between  
20 the parties is valid, enforceable and irrevocable except upon such grounds  
21 as exist at law or in equity for the revocation of any contract.

22 (c) The provisions of subsection (b) shall not apply to: (1) ~~Contracts~~  
23 ~~of insurance, except for those contracts between insurance companies,~~  
24 ~~including reinsurance contracts;~~ (2) Contracts between an employer and  
25 employees, or their respective representatives; or ~~(3)~~ (2) any provision of  
26 a contract providing for arbitration of a claim in tort.

27 Sec. 2. K.S.A. 5-401 is hereby repealed.

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