

SENATE BILL No. 378

By Senator Journey

1-17

9 AN ACT concerning the consumer protection act; pertaining to such
10 act's applicability to insurance policies; amending K.S.A. 50-624 and
11 repealing the existing section.
12

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

14 Section 1. K.S.A. 50-624 is hereby amended to read as follows: 50-
15 624. As used in this act:

16 (a) "Agricultural purpose" means a purpose related to the production,
17 harvest, exhibition, marketing, transportation, processing or manufacture
18 of agricultural products by a consumer who cultivates, plants, propagates
19 or nurtures the agricultural products. "Agricultural products" includes
20 agricultural, horticultural, viticultural, and dairy products, livestock, wild-
21 life, poultry, bees, forest products, fish and shellfish, and any products
22 thereof, including processed and manufactured products, and any and all
23 products raised or produced on farms and any processed or manufactured
24 products thereof.

25 (b) "Consumer" means an individual, husband and wife, sole propri-
26 etor, or family partnership who seeks or acquires property or services for
27 personal, family, household, business or agricultural purposes.

28 (c) "Consumer transaction" means a sale, lease, assignment or other
29 disposition for value of property or services within this state ~~(except in-~~
30 ~~insurance contracts regulated under state law)~~ to a consumer; or a solici-
31 tation by a supplier with respect to any of these dispositions.

32 (d) "Family partnership" means a partnership in which all of the part-
33 ners are natural persons related to each other, all of whom have a common
34 ancestor within the third degree of relationship, by blood or by adoption,
35 or the spouses or the stepchildren of any such persons, or persons acting
36 in a fiduciary capacity for persons so related.

37 (e) "Final judgment" means a judgment, including any supporting
38 opinion, that determines the rights of the parties and concerning which
39 appellate remedies have been exhausted or the time for appeal has
40 expired.

41 (f) "Merchantable" means, in addition to the qualities prescribed in
42 K.S.A. 84-2-314, and amendments thereto, in conformity in all material
43 respects with applicable state and federal statutes and regulations estab-

1 lishing standards of quality and safety.

2 (g) "Person" means any individual, corporation, government, govern-
3 mental subdivision or agency, business trust, estate, trust, partnership,
4 association, cooperative or other legal entity.

5 (h) "Property" includes real estate, goods and intangible personal
6 property.

7 (i) "Services" includes:

8 (1) Work, labor and other personal services;

9 (2) privileges with respect to transportation, hotel and restaurant ac-
10 commodations, education, entertainment, recreation, physical culture,
11 hospital accommodations, funerals and cemetery accommodations; and

12 (3) any other act performed for a consumer by a supplier.

13 (j) "Supplier" means a manufacturer, distributor, dealer, seller, les-
14 sor, assignor, or other person who, in the ordinary course of business,
15 solicits, engages in or enforces consumer transactions, whether or not
16 dealing directly with the consumer. Supplier does not include any bank,
17 trust company or lending institution which is subject to state or federal
18 regulation with regard to disposition of repossessed collateral by such
19 bank, trust company or lending institution.

20 Sec. 2. K.S.A. 50-624 is hereby repealed.

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