

HOUSE BILL No. 2563

By Committee on Appropriations

3-2

9 AN ACT concerning landlords and tenants; relating to rental agreements;
10 amending K.S.A. 58-2547 and repealing the existing section.

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

13 Section 1. K.S.A. 58-2547 is hereby amended to read as follows: 58-

14 2547. (a) No rental agreement may provide that the tenant or landlord:

15 (1) Agrees to waive or to forego rights or remedies under this act;

16 (2) authorizes any person to confess judgment on a claim arising out
17 of the rental agreement; *or*

18 (3) ~~agrees to pay either party's attorneys' fees, or~~

19 ~~—(4) agrees to the exculpation or limitation of any liability of either~~
20 ~~party arising under law or to indemnify either party for that liability or~~
21 ~~the costs connected therewith, except that a rental agreement may pro-~~
22 ~~vide that a tenant agrees to limit the landlord's liability for fire, theft or~~
23 ~~breakage with respect to common areas of the dwelling unit.~~

24 (b) A provision prohibited by subsection (a) included in a rental
25 agreement is unenforceable. If a landlord deliberately uses a rental agree-
26 ment containing provisions known by such landlord to be prohibited, the
27 tenant may recover actual damages sustained by such tenant.

28 Sec. 2. K.S.A. 58-2547 is hereby repealed.

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