

Approved: SRB 2/22/07  
Date

## MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE

The meeting was called to order by Chairman Steve Brunk at 9:10 A.M. on February 20, 2007 in Room 231-N of the Capitol.

All members were present except:  
Kasha Kelley- excused

Committee staff present:  
Jerry Ann Donaldson, Kansas Legislative Research Department  
Duston Slinkard, Office of Revisor of Statutes  
Stephen Bainum, Committee Assistant

Conferees appearing before the committee:  
Jeff Barnes, Kansas Association of Real Estate Inspectors  
Callie Hartle, Kansas Trial Lawyers Association  
Luke Bell, Kansas Association of Realtors

Others attending:  
See attached list.

The Chairman opened the hearing on **HB 2379 - Employee misconduct based upon absence or failure to notify of intent to be absent.**

Duston gave a brief description of the bill. The purpose of the bill was to make a technical clarification. There was some confusion on the part of a court in Wichita about how to apply the statutes. The changes were to strike the language about failure to notify on page 4, line 19-22 and move it to page 6, lines 18-21 to clarify that there are two distinct kinds of misconduct connected with absence.

Representative Goico said that many employers have a grace period of several days before they terminate the employee. Is there a see a grace period in this bill? Duston said that there was no grace period in the bill but that this law does not change the law on failure to notify or on improper absences. It simply clarifies that there are two distinct types of misconduct. The point is that there is no net change to the law on either point. It is simply a technical change.

Representative Ruff asked if other departments had shown interest in the bill.

The Chairman explained the case that caused the confusion in the Wichita court and introduced the written testimony of the Honorable Jeff Goering, District Judge, 18<sup>th</sup> Judicial District (Attachment 1). Since this is a technical question the judge is the only one who has shown interest in it.

Representative Pauls said that moving the language from page 4 to page 6 does not clarify anything and she was not sure it was only a technical change. Duston said that the move was to place them in parallel so that they could more easily be distinguished as two separate offences. Representative Pauls asked for a copy of the judges reasoning.

There being no other conferees or questions the hearing on **HB 2379** was postponed to a later date.

The Chairman called the committees attention to **HB 2315 Home Inspectors competency and financial responsibility.** He introduced three balloons. One from the Kansas Association of Realtors dated February 15, 2007 (Attachment 2), the second proposed by Representative Grange dated February 19, 2007 (Attachment 3) and the third proposed by the Kansas Trial Lawyers Association (Attachment 4). We will start with the amendment by the Kansas Association of Realtors and deal with them one by one.

Representative Gordon said that the bill was so big and complicated that the committee should discuss doing nothing with it now.

Representative Grant agreed with Representative Gordon. He did not see a problem that called

## CONTINUATION SHEET

MINUTES OF THE House Commerce and Labor Committee at 9:10 A.M. on February 20, 2007 in Room 231-N of the Capitol.

for this bill nor had he heard an outcry for this bill.

Representative Sharp said that this might not be a problem today but that we need to protect some of the areas that are experiencing extraordinary growth now.

Representative Kiegerl agreed with Representative Sharp and made a motion to adopt the amendment by the Kansas Association of Realtors, seconded by Representative Sharp.

Representative Landwehr asked if we were creating a new board and if so what is the fiscal? The Chairman explained that the board would be self supporting and there is no fiscal.

Representative Huntington said that this was the same balloon at the Manufactured Housing industry offered several years ago.

The question was called and the amendment was passed by voice vote.

Representative Grange came to the microphone to explain his amendment. His concern was to strike lines 29 through 32 on page 6 in order to allow a tradesman to offer service. Then on page 7 lines 31 through 34 be stricken because there are more than three nationally recognized societies and those listed are subject to change. He moved that his amendment be approved.

Representative Sharp asked how do we define a nationally recognized society.

The Chairman suggested the wording "as recognized by the Board" be added. Representative Grange considered that as a friendly addition.

Representative Ruff seconded the motion.

Representative Pauls asked for the reason to have a \$250,000 liability insurance policy if you are limited to \$1000.00 on an inspection.

The chairman called for the vote on the amendment and it passed by voice vote.

Representative Ruff asked to offer the amendment from the Kansas Trial Lawyers. They want to strike out the \$1,000 liability limit seen on page 8 lines 14-15 and 25-25 and change page 8 line 18 from 12 months to two years. Representative Ruff made a motion to accept these changes, seconded by Representative Ruiz.

Representative Goico said that the amendment by making the liability unlimited might make insurance rates too high. It should be limited to a reasonable amount or people would be eliminated from being home inspectors.

Representative Grange said that the inspections would go for \$500.00 or \$600.00 in his area and he felt that making the time period two years was too long, it was becoming a warranty.

Representative Humerickhouse said that he also was concerned with the two years change.

Representative Ruff made a motion to modify the amendment to raise the liability cap to \$10,000 and a 12 month time limit.

Representative Grant asked how much would a heating and air conditioning system cost. Representative Grange said that \$10,000 would more that cover it but that with the purchase of a home the buyers purchase homeowners insurance that covers the cost of the replacement of the heating system.

Representative Kiegerl said that he agrees with the Kansas Trial Lawyers amendment and that we should leave the amount of liability open ended and revert the time period to 12 months.

## CONTINUATION SHEET

MINUTES OF THE House Commerce and Labor Committee at 9:10 A.M. on February 20, 2007 in Room 231-N of the Capitol.

Representative Huntington agrees with Representative Kiegerl and said that we should leave the liability open ended.

Representative Ruiz asked a question of Jeff Barnes about the insurance issue. He said that the Kansas Supreme Court said that if you do not have a home inspection you can not expect the seller to tell you the truth. It is buyer beware. Without an inspection you are buying as is.

Representative Garcia asked a question of Callie Hartle about the two year term of liability. Callie said that if you limit the liability then the homeowner would have to pay rather than the home inspector. The two year limitation is a standard statute limitations of the state. Breach on contract is five years.

The Chairman said that everyone is regulated except the home inspectors. The purpose of the bill is to get this board established so they can set some rules and regulations for standardization in the home inspection industry.

The question was called and the amendment passed on voice vote. The amendment takes us to \$10,000 and 12 months. We are back on the base bill.

Representative Ruff asked how many inspectors there were. Jeff Barnes answered there were approximately 300. The next question was the cost of the bill. The initial board was Governor setup and then the board was on it's own. A volunteer board. Some fees set up to support the board. Duston said it was a five member board and the fees were not determined.

Representative Pauls asked if we allow boards to set their own salaries.

Luke Bell, Kansas Association of Realtors, answered the questions about staff and expenses. The board was modeled after the Board of Abstract Examiners, the smallest state registration board and said that the board would spend less that \$10,000 per year. When they do have resources to hire staff the salaries must be approved by the State Finance counsel.

Representative Gordon asked who requested the bill. Luke Bell said that Representative Tom Sloan and after it was introduced we worked with the Kansas Association of Real Estate Inspectors.

Representative Grange said that he felt that the bill was not real clear and that there were a lot on unanswered issues. He made a motion to table the bill, seconded by Representative Roth.

The Chairman adjourned the meeting and indicated that we would take up action on the motion at our next meeting. The meeting adjourned at 10:30 A.M.

2-20-07

M.L. Dyck

Both Martino

KS Dept of LABOR

Ron Secher

Ken Law Firm

JEFF GLENDENING

KS CHAMBER

John Peterson

Jeff Barnes

KS Assoc. of Real Estate Inspectors

Scott Heidner

KS Assoc of Real Estate Inspectors

Steve Bachenberg

Constituent's guest of Rep. Sharp

Callie Denton Hattle KTLA

Martha Jean Smith, KMHA

Luke Bell

KAR

TESTIMONY IN SUPPORT OF HB 2379  
BEFORE THE HOUSE COMMERCE AND LABOR COMMITTEE

Hon. Chairman Rep. Brunk:

Thank you for the opportunity to submit written testimony in favor of HB 2379. HB 2379 makes some much needed technical changes to the employment security law to clarify the circumstances under which an employee may be presumed to be disqualified for unemployment benefits.

Current law is confusing, and in my opinion conflicting, with respect to the circumstances under which an employee may be disqualified from receiving unemployment benefits for unexcused absences. Under current statute, an employee who fails to notify the employer of an absence is presumed to be disqualified for unemployment benefits. However, under the same statute, an employee may not be disqualified for unemployment benefits for repeated unexcused absences unless the employer first establishes that (1) the employee was absent without good cause; (2) the absence was in violation of a written absenteeism policy; (3) the employer gave the employee written notice that future absences will result in discharge; and (4) the employee had knowledge of the absenteeism policy.

The technical change to the law made by HB 2379 makes it clear that, notwithstanding other provisions of the employment security law, an employee who is absent without notice to the employer is presumed disqualified for unemployment benefits. This, in my view, brings much needed clarity to the employment security law and eliminates ambiguity that was never intended by the legislature.

I urge the committee to pass HB 2379 favorably. Thank you for the opportunity to address the committee.

Hon. Jeff Goering  
District Judge, 18<sup>th</sup> Judicial District

H Commerce & Labor  
2-20-07  
(Attach 1)

## HOUSE BILL No. 2315

By Committee on Commerce and Labor

1-31

Proposed Amendments  
Kansas Association of Realtors  
February 15, 2007

House Commerce & Labor  
Date: 2-20-07  
Attachment # 2

9 AN ACT concerning real property; relating to home inspections; requir-  
10 ing home inspector registration and certificates.

11

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

13 Section 1. As used in this section:

14 (a) (1) "Home inspection" means a non-invasive limited visual ex-  
15 amination of a residential dwelling of not more than four attached units,  
16 or any portion thereof designed to identify material defects at the time  
17 of the inspection of three or more of the following readily accessible  
18 systems and components:

19 (A) Heating systems;

20 (B) cooling systems;

21 (C) electrical systems;

22 (D) plumbing systems;

23 (E) structural components;

24 (F) foundations;

25 (G) roof coverings;

26 (H) exterior and interior components; and

27 (I) any other components and systems that are part of the residential  
28 dwelling and included in the standards of practice followed by the home  
29 inspector.

30 (2) The term "home inspection" also includes any consultation re-  
31 garding the property that is represented to be a home inspection or that  
32 is described by any similar term.

33 (3) The term "home inspection" does not include:

34 (A) A compliance inspection for any code or governmental regulation;

35 (B) an examination for the conditions and operation of kitchen-type  
36 appliances, on-site water supplies or wells, private waste systems, the  
37 determination of the presence of wood-destroying organisms or pests, or  
38 the presence of fungi, mold, bacteria, asbestos, lead-based paint, gases or  
39 conditions of air quality; and

40 (C) an examination and evaluation of only two or less of the compo-  
41 nents listed in section (a)(1).

42 (b) "Home inspector" means an individual who performs a home in-  
43 spection as defined by this act.

2-20-07  
(Attach 2)

2-2

1 inspections for compensation, but shall not apply to the following individ-  
2 uals who are specifically exempted from registration under this act:

3 (a) A tradesman or contractor performing a single component or sys-  
4 tem evaluation or a combination of any two systems or components listed  
5 in section 1 (a)(1)(A)-(I) while acting within the scope of that occupation;

6 (b) an individual employed by the state or a political subdivision of  
7 the state who, within the scope of such employment and in the discharge  
8 of such public duties, inspects property or buildings for compliance with  
9 requirements safeguarding life, health or property;

10 (c) an individual licensed by the state as an architect while acting  
11 within the scope of that license;

12 (d) an individual licensed by the state as a professional engineer while  
13 acting within the scope of that license ~~as long as the individual is not~~  
14 ~~providing services which would constitute a home inspection as defined~~  
15 ~~by this act;~~

16 (e) an individual licensed by the state as a real estate appraiser while  
17 acting within the scope of that license;

18 (f) an individual licensed by the state as a real estate broker or sales-  
19 person while acting within the scope of that license;

20 (g) an individual employed as an insurance adjuster while acting  
21 within the scope of that occupation;

22 (h)  an individual licensed as a manufactured home dealer while acting  
23 within the scope of that license;

24  ~~(i)~~ an individual employed as a manufactured home installer while  
25 acting within the scope of that occupation;

26  ~~(j)~~ a homebuilder or homebuilder's representative reviewing a resi-  
27 dential dwelling built by the homebuilder for the purposes of evaluating  
28 the residential dwelling ~~prior to the dwelling's first transfer of ownership;~~  
29 and

30  ~~(k)~~ an individual employed as a pest exterminator or chemical appli-  
31 cator while acting within the scope of that occupation and not providing  
32 services which would constitute a home inspection under this act.

33 Sec. 3. (a) There is hereby established the Kansas home inspectors  
34 registration board. The purpose of the board is to administer and enforce  
35 the provisions of this act, promote consumer protection, ensure profes-  
36 sional competency and ensure the presence of a viable home inspection  
37 industry in this state.

38 (b) The board shall consist of five members to be appointed by the  
39 governor as follows:

40 (1) Three members shall be home inspectors who have actively been  
41 engaged in the practice of home inspections for at least five years im-  
42 mediately preceding their appointment and have completed at least 1,000  
43 fee-paid home inspections;

an individual licensed as a manufactured home manufacturer while acting  
within the scope of that license;  
(i) an individual employed by a manufactured home manufacturer while acting  
within the scope of that occupation;  
(j) a modular home manufacturer or modular home manufacturer's  
representative reviewing a residential dwelling built by the manufacturer for the  
purpose of evaluating the residential dwelling;  
(k)

(l)

(o)

(m) an individual licensed by the state as an insurance agent while acting  
within the scope of that license;  
(n)

# HOUSE BILL No. 2315

By Committee on Commerce and Labor

1-31

Representative Grange  
Proposed Amendment  
February 19, 2007

House Commerce & Labor  
Date: 2-20-07  
Attachment # 3

9 AN ACT concerning real property; relating to home inspections; requir-  
10 ing home inspector registration and certificates.  
11

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

13 Section 1. As used in this section:

14 (a) (1) "Home inspection" means a non-invasive limited visual ex-  
15 amination of a residential dwelling of not more than four attached units,  
16 or any portion thereof designed to identify material defects at the time  
17 of the inspection of three or more of the following readily accessible  
18 systems and components:

19 (A) Heating systems;

20 (B) cooling systems;

21 (C) electrical systems;

22 (D) plumbing systems;

23 (E) structural components;

24 (F) foundations;

25 (G) roof coverings;

26 (H) exterior and interior components; and

27 (I) any other components and systems that are part of the residential  
28 dwelling and included in the standards of practice followed by the home  
29 inspector.

30 (2) The term "home inspection" also includes any consultation re-  
31 garding the property that is represented to be a home inspection or that  
32 is described by any similar term.

33 (3) The term "home inspection" does not include:

34 (A) A compliance inspection for any code or governmental regulation;

35 (B) an examination for the conditions and operation of kitchen-type  
36 appliances, on-site water supplies or wells, private waste systems, the  
37 determination of the presence of wood-destroying organisms or pests, or  
38 the presence of fungi, mold, bacteria, asbestos, lead-based paint, gases or  
39 conditions of air quality; and

40 (C) an examination and evaluation of only two or less of the compo-  
41 nents listed in section (a)(1).

42 (b) "Home inspector" means an individual who performs a home in-  
43 spection as defined by this act.

20  
2-20-07  
(attach 3)



3-2

1 (2) been convicted of or plead guilty or nolo contendere in a court of  
2 competent jurisdiction to forgery, fraud, conspiracy to defraud or any  
3 similar offense or offenses;

4 (3) intentionally falsifying a home inspection report;

5 (4) failing to perform a home inspection in accordance with the stan-  
6 dards of practice approved by the board and followed by the home in-  
7 spector; and

8 (5) violating any provision of this act or rules and regulations prom-  
9 ulgated by the board pursuant to this act.

10 (b) In addition to or in lieu of any other administrative, civil or crim-  
11 inal remedy provided by law, the board, in accordance with the Kansas  
12 administrative procedures act and upon a finding that a registrant has  
13 violated a provision of this act or rules and regulations adopted hereunder,  
14 may impose on such registrant a civil fine not to exceed \$500 for each  
15 violation.

16 Sec. 7. The board shall adopt rules and regulations fixing the  
17 amounts of fees provided for by this act, subject to the following: For an  
18 application for an original registration, the amount may not exceed \$200,  
19 and for renewal of registration the amount may not exceed \$200. Other  
20 fees may be set in the amount determined by the board.

21 Sec. 8. (a) The attorney general shall provide as an attorney for the  
22 board and shall represent the board in all actions and proceedings brought  
23 by or against the board. The board may hire independent counsel when  
24 the board deems appropriate. All fees and expenses of such independent  
25 counsel arising out of the performance of duties for the board shall be  
26 paid out of the home inspectors registration fee fund.

27 Sec. 9. The home inspector shall be prohibited from performing any  
28 of the following acts as part of the home inspection:

29 (a) ~~Performing or offering to perform for an additional fee any re-~~  
30 ~~pairs, remodeling or other type of remedial work to the dwelling for which~~  
31 ~~the home inspector has prepared a home inspection report within the last~~  
32 ~~12 months;~~

Inspecting

33 (b) ~~inspecting~~ for a fee any property in which the home inspector has  
34 any personal interest unless the interest is disclosed in writing to the client  
35 before the home inspection is performed and the client signs an acknow-  
36 ledgment of receipt of the disclosure;

(b)

37 (c) ~~offering or delivering any commission, referral fee or kickback for~~  
38 ~~the referral of any business to the home inspector; and~~

(c)

39 (d) ~~accepting an engagement to perform a home inspection or to~~  
40 ~~prepare a home inspection report in which the employment itself or the~~  
41 ~~fee payable for the inspection is contingent upon the conclusions in the~~  
42 ~~home inspection report, pre-established or prescribed findings or the~~  
43 ~~closing of the underlying real estate transaction.~~

1 Sec. 10. On and after July 1, 2008, all individuals performing home  
2 inspections as defined under this act in the state of Kansas shall be re-  
3 quired to file a written registration with the board. All registrants must:

- 4 (a) Be at least 18 years of age;
- 5 (b) have successfully completed high school or its equivalent;
- 6 (c) submit proof of current general liability insurance coverage in an  
7 amount of \$250,000 or more;

8 (d) submit proof of a fidelity bond to cover dishonesty in an amount  
9 not less than \$10,000 providing that the fidelity bond may not be termi-  
10 nated without 30 days prior written notice to the board;

- 11 (e) submit proof of financial responsibility by one of the following:
- 12 (1) A policy of errors and omissions insurance coverage;
- 13 (2) a surety bond in an amount not less than \$10,000, providing that  
14 the surety bond may not be terminated without 30 days prior written  
15 notice to the board;

16 (3) an irrevocable letter of credit not less than \$10,000 issued by a  
17 bank which is insured by the federal deposit insurance corporation or its  
18 successor if such letter of credit is initially issued for a term of at least  
19 one year and by its terms is automatically renewed at each expiration date  
20 for at least an additional one-year term unless at least 30 days prior written  
21 notice of intention not to renew is provided to the board; or

22 (4) the maintenance of a minimum balance of \$10,000 in an escrow  
23 account in a Kansas financial institution as defined in K.S.A. 16-117, and  
24 amendments thereto, provided that the escrow account shall maintain the  
25 minimum balance through the term of the registrant's registration as a  
26 home inspector. The board shall be notified in writing by the financial  
27 institution within 10 days if the amount in the escrow account falls below  
28 the \$10,000 minimum balance. Upon notification, the board shall suspend  
29 such registrant's registration as a home inspector until the escrow account  
30 minimum balance is restored to greater than or equal to \$10,000;

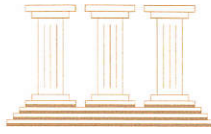
- 31 ~~(e) submit proof of membership in good standing in either:~~
- 32 ~~(1) The American society of home inspectors (ASHI);~~
- 33 ~~(2) the national association of home inspectors (NAHI); or~~
- 34 ~~(3) the national association of certified home inspectors (NACHI);~~

(f) submit proof of membership in good standing in one or more nationally recognized society, association or organization that provides for membership of individuals engaged in home inspection;

35  and  
 (g) ~~(f)~~ have successfully completed and passed a written or electronic  
37 exam as approved by the board and proctored by a testing organization  
38 approved by the board;

(h) ~~(g)~~ annually obtained a minimum of 16 hours of continuing education  
40 by completing courses approved by the board; and

(i) ~~(h)~~ have satisfied one of the following requirements:  
42 (1) Have successfully completed and passed a course of study con-  
43 taining at least 80 hours of classroom and field training offered by an



KANSAS TRIAL LAWYERS ASSOCIATION

*Lawyers Representing Consumers*

To: Representative Steve Brunk, Chairman  
Members of the House Commerce and Labor Committee

From: Callie Denton Hartle  
Kansas Trial Lawyers Association

Date: February 20, 2007

Re: HB 2315 Relating to home inspections—NEW AMENDMENT

In the previous memo provided to the committee, we requested a change in the statute of limitations for filing an action to recover damages to two years instead of 12 months which is currently in HB 2315. Although this amendment was referenced, it was not included in our balloon. I'm attaching a revised balloon with the appropriate change.

Also, in KTLA's testimony on HB 2315, we expressed support for HB 2075 which prohibits any limitations on the liability of home inspectors. The attached balloon also includes new amendments to the liability provisions in Section 11, page 8 of the bill. The new balloon is intended to be a substitute for the balloon we provided yesterday.

As discussed in the hearing, home inspectors are unique in that they have been able to severely limit their accountability for their inspections, and generally are only liable for the cost of the home inspection (\$350-\$500 dollars). HB 2315 limits the liability of home inspectors to \$1,000. Yet, even \$1,000 would be woefully inadequate to a family who is faced with the consequences of a careless or negligent home inspection that failed to reveal an aging heating/air condition system, structural defects, mold, decaying roof, or any of a number of other costly problems that could affect not only the family's financial health but physical health and safety.

We believe it bears the committee's discussion to what extent—if any—the liability of home inspectors should be limited. No other profession or manufacturer is permitted to escape financial responsibility for their conduct or work. Home inspections are critical to residential real estate transactions, and Kansans depend on them to make good purchasing decisions. We believe that there is not a compelling policy reason for excluding home inspectors from accountability and that they should be held to the same standard as other professionals.

We ask for the committee's thoughtful consideration of the policy questions raised by HB 2315, as well as support for amendments to increase the accountability of home inspectors and to increase the statute of limitations for filing claims.

H Commerce + Labor  
2-20-07  
(Attach 4)

*Terry Humphrey, Executive Director*

KTLA 2/20/07

NEW AMENDMENT

HB 2315

1 educational provider approved by the board; or  
2 (2) have been actively engaged in the practice of conducting home  
3 inspections for not fewer than three years prior to the effective date of  
4 this act and have completed not less than 300 fee-paid home inspections.

5 Sec. 11. (a) It is the duty of all home inspectors registered under this  
6 act to conduct home inspections with the degree of care that a reasonably  
7 prudent home inspector would exercise under the circumstances.

8 (b) All home inspections shall be conducted according to standards  
9 of practice and a code of ethics approved by the board.

10 (c) No home inspector may include, as a term or condition in an  
11 agreement to conduct a home inspection, any provision that disclaims the  
12 liability for any errors and omissions which may arise during a home  
13 inspection, or limit the amount of damages for liability for any errors and  
14 omissions which may arise during a home inspection ~~to less than \$1,000~~  
15 ~~in the aggregate for each home inspection.~~

16 (d) An action to recover damages for any act or omission of a home  
17 inspector relating to a home inspection or home inspection report must  
18 be brought not more than ~~12 months~~ <sup>two years</sup> from the date the home inspection  
19 was performed and may be initiated only by a party to the real estate  
20 transaction for which the home inspection was conducted.

21 (e) In any action to recover damages for any error or omission of a  
22 home inspector relating to a home inspection or home inspection report,  
23 a home inspector is liable for any errors and omissions which may arise  
24 during a home inspection ~~in an amount of not to exceed \$1,000 in the~~  
25 ~~aggregate for each home inspection.~~

26 Sec. 12. (a) No individual shall advertise themselves as a home in-  
27 spector unless the individual has complied with the provisions of this act.  
28 Individuals who are exempt from registration under this act or whose  
29 actions are considered to be a home inspection under this act may not  
30 hold themselves out to be home inspectors or use words or titles that may  
31 reasonably be confused with the title of "home inspector" or "house in-  
32 spector" unless they are registered as a home inspector pursuant to this  
33 act.

34 (b) All advertisements, contracts, correspondence and other docu-  
35 ments prepared by an individual performing home inspections under this  
36 act shall indicate the home inspector's registration number, name and  
37 address as registered with the board.

38 Sec. 13. Any individual performing home inspections as defined in  
39 this act or assisting any person to perform home inspections outside the  
40 guidelines of this act shall constitute a class A misdemeanor and will be  
41 subject to all the legal remedies and penalties thereof.

42 Sec. 14. This act shall be cited as the Kansas home inspectors pro-  
43 fessional competence and financial responsibility act.