

CHAPTER 79
HOUSE BILL No. 2152

AN ACT concerning the master settlement agreement for tobacco products; relating to the appeal bond; amending K.S.A. 2004 Supp. 50-6a05 and repealing the existing section.

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

Section 1. K.S.A. 2004 Supp. 50-6a05 is hereby amended to read as follows: 50-6a05. (a) ~~The appeal bond that an appellant in~~ *In* civil litigation under any legal theory, involving a signatory or a successor to a signatory of the master settlement agreement, as defined in K.S.A. 2004 Supp. 50-6a02, and amendments thereto, *the maximum appeal bond that any appellant in the litigation* may be required to post to stay execution on a judgment during an appeal or discretionary review shall be set in accordance with existing law and court rules, except that in no case shall an appeal bond *for any individual appellant and its successors, individually or collectively*, exceed \$25,000,000, regardless of the total value of the judgment.

(b) If it is proved by a preponderance of the evidence that the appellant for whom the bond has been limited pursuant to this section is intentionally dissipating or diverting assets outside of the ordinary course of its business for the purpose of avoiding payment of the judgment, the court shall enter such orders as are necessary to prevent the dissipation or diversion of assets.

(c) *The amendment to this section shall apply to all cases pending or filed on and after July 1, 2005.*

Sec. 2. K.S.A. 2004 Supp. 50-6a05 is hereby repealed.

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

Approved April 6, 2005.
