

SESSION OF 2004

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 311**

As Recommended by Senate Committee on  
Financial Institutions and Insurance

**Brief\***

SB 311 concerns the filing by insurance companies with the Insurance Commissioner of any contract of insurance or indemnity to be issued or delivered in this state. The bill requires the Commissioner to allow insurers authorized to do business in this state to deliver to any person contracts of insurance or indemnity, or explanatory materials, written in any language other than English, provided:

- The insured or applicant receives a copy of the contract or explanatory materials written in English;
- The English language version of the contract and explanatory materials shall be the controlling version; and
- The other than English language contract or explanatory materials contain a disclosure statement printed in both English and the other language stating the English language version is the official and controlling version and the other language version is informational only.

All contracts required to be filed with the Commissioner must be accompanied by any version of the contract written in any other language. For the purposes of the act, the term "contract of insurance or indemnity" includes riders, endorsements, or applications pertaining to the contract.

Violations of the filing and disclosure provisions of the act are deemed to be violations of the unfair trade practice law.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

## **Background**

SB 311 was recommended by the State Farm Insurance Companies whose representatives explained that the 2000 United States Census identified 12.5 percent of respondents as Hispanic and 3.6 percent Asian. Further, nationwide, 74 percent of United States-born Hispanics use Spanish at home and 59 percent consider Spanish as their first language. Proponents said the bill will allow companies to provide an important service to a growing segment of the Kansas population. In this process, the bill provides protection to the public through the unfair trade practice act.