

SESSION OF 2005

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 129**

As Amended by Senate Committee on  
Judiciary

**Brief\***

SB 129 would amend a provision of the Kansas Consumer Protection Act to prohibit a supplier in a consumer transaction to exclude responsibility for the implied warranty of workmanlike performance.

The bill also defines the term "implied warranty of workmanlike performance" to mean that in every written or oral contract for work or services, the supplier of the work or services has a duty to perform the work or services diligently and in a manner consistent with that level of care, skill, practice, and judgement ordinarily exercised by other suppliers in performing work or services of a similar nature under similar conditions in the locale where the work or services are performed.

The Senate Committee added the definition of "implied warranty of workmanlike performance."

**Background**

The bill was supported by the Young Lawyers Section of the Kansas Bar Association. The proponent said the bill would close a large loophole in the umbrella of consumer protection in Kansas.

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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>