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MEMORANDUM

To: House Committee on Insurance
From: Office of Revisor of Statutes
Date: March 8, 2023
Subject: Bill Brief, SB 119

SB 119 is the Senate version of HB 2098. The bill updates certain statutory references contained in K.S.A. 40-201, 40-216, 40-241 and 40-955. The updates were made for different reasons that described below.

Section 1 amends K.S.A. 40-201, which defines "insurance company." Originally drafted and enacted in 1927, the statute was last amended in 1935. Here the internal reference was changed from K.S.A. 40-701 (line 12) to 40-738 because K.S.A. 40-701 was repealed in 1988. We also made some updates to the language to bring it current with current drafting practices.

Section 2 amends K.S.A. 40-216. Here, we fixed an internal cross reference to K.S.A. 40-955. Current practice is to remove the subsection designation in a statutory cross reference, so you can see that we simply struck the "subsection (i) of" in line 33 of the bill and just left the statute number. We also updated some language here as well.

Section 3 amends K.S.A. 40-241 by correcting an internal reference to a repealed statute on page 5, line 13 of the bill. And here again, we updated the language.

Finally, in Section 4, we fixed an internal statutory reference that was not updated when the statute was last amended in 2011. You can see that change on page 8, line 29. As we did previously, we made some changes to the language to conform the statute to current drafting practices.

The Senate Committee of the Whole passed SB 119 unanimously on February 23, 2023.