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MEMORANDUM

To: Chairman Sutton and the House Committee on Insurance

From: Office of Revisor of Statutes

Date: February 12, 2025

Subject: HB 2333 - Renaming the Kansas insurance department as the Kansas department of insurance, the office of the securities commissioner of Kansas as the department of insurance, securities division, the securities commissioner as the department of insurance assistant commissioner, securities division and eliminating the requirement that the senate confirm department of insurance assistant commissioner, securities division appointees.

HB 2333 renames the Kansas insurance department, the office of the securities commissioner of Kansas, and the title of the securities commissioner of Kansas. The bill also modifies the appointment process of the securities commissioner of Kansas.

Section 1 renames the Kansas insurance department as the Kansas department of insurance and transfers and imposes all powers, duties and functions of the Kansas insurance department upon the Kansas department of insurance. Section 1 also states that whenever the Kansas insurance department or words of like effect are used in statutes, contracts or other such documents, they shall be deemed to apply to the Kansas department of insurance. Lastly, the section stipulates that all rules and regulations, orders, and directives of the commissioner of insurance of the Kansas insurance department that are in effect as of July 1, 2025, shall continue to be effective and shall be deemed to be rules and regulations, orders, and directives of the commissioner of insurance of the Kansas department of insurance.

Section 2 renames the office of the securities commissioner of Kansas as the department of insurance, securities division, and the securities commissioner of Kansas as the department of insurance assistant commissioner, securities division. As in section 1, this section stipulates that whenever the office of the securities commissioner of Kansas, or words of like effect, are used in statutes, contracts or other documents, they shall be deemed to refer to the department of insurance, securities division. This stipulation also applies that whenever the securities commissioner of Kansas, or words of like effect, are used in statutes, contracts or other documents, they shall be deemed to refer to the department of insurance assistant commissioner, securities division. Lastly, all rules and regulations, orders, and directives of the securities commissioner of Kansas shall be deemed to be the rules and regulations, orders, and directives of the department of insurance assistant commissioner, securities division.

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Section 3 amends K.S.A. 40-102, the creation statute for the Kansas insurance department. The amendment to this section changes the creation of the Kansas insurance department to the creation of the Kansas department of insurance and makes such corresponding amendments as needed in the statute.

Section 4 amends K.S.A. 75-6301, the creation statute for the office of the securities commissioner of Kansas. The amendment here changes the creation of the office of the securities commissioner of Kansas, that is administered by the securities commissioner of Kansas to the department of insurance, securities division that is administered by the department of insurance assistant commissioner, securities division. This section also makes corresponding amendments throughout the statute. Lastly, the amendment to subsection (a) removes the requirement that a person appointed as department of insurance assistant commissioner, securities division be confirmed by the senate before taking office.