

HOUSE BILL No. 2333

By Committee on Insurance

Requested by Eric Turek on behalf of the Kansas Insurance Department

2-7

1 AN ACT concerning insurance; renaming the Kansas insurance
2 department as the Kansas department of insurance; renaming the office
3 of the securities commissioner of Kansas as the department of
4 insurance, securities division; renaming the securities commissioner as
5 the department of insurance assistant commissioner, securities division;
6 eliminating the requirement that the senate confirm the department of
7 insurance assistant commissioner, securities division appointee;
8 amending K.S.A. 2024 Supp. 40-102 and 75-6301 and repealing the
9 existing sections; also repealing K.S.A. 75-6302, 75-6303, 75-6304,
10 75-6305, 75-6306 and 75-6307.

11

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

13 New Section 1. (a) The Kansas insurance department, as established
14 by K.S.A. 42-102, and amendments thereto, is hereby renamed the Kansas
15 department of insurance. All powers, duties and functions of the Kansas
16 insurance department are hereby transferred and imposed upon the Kansas
17 department of insurance.

18 (b) Whenever the Kansas insurance department, or words of like
19 effect, are referred to or designated by a statute, contract or other
20 document, and such reference or designation is in regard to any function,
21 power or duty of the Kansas insurance department, such reference or
22 designation shall be deemed to apply to the Kansas department of
23 insurance.

24 (c) All rules and regulations, order and directives of the
25 commissioner of insurance of the Kansas insurance department that are in
26 effect on July 1, 2025, shall continue to be effective and shall be deemed
27 to be rules and regulations, orders and directives of the commissioner of
28 insurance of the Kansas department of insurance until amended, revoked
29 or nullified pursuant to law.

30 New Sec. 2. (a) (1) The office of the securities commissioner of
31 Kansas, as established by K.S.A. 75-6301, and amendments thereto, is
32 hereby renamed the department of insurance, securities division. All
33 powers, duties and functions of the office of the securities commissioner of
34 Kansas are hereby transferred and imposed upon the department of
35 insurance, securities division.

1 (2) The securities commissioner is hereby renamed the department of
2 insurance assistant commissioner, securities division. All powers, duties
3 and functions of the securities commissioner are hereby transferred and
4 imposed upon the department of insurance assistant commissioner,
5 securities division.

6 (b) (1) Whenever the office of the securities commissioner of Kansas,
7 or words of like effect, are referred to or designated by a statute, contract
8 or other document, and such reference or designation is in regard to any
9 function, power or duty of the office of the securities commissioner of
10 Kansas, such reference or designation shall be deemed to apply to the
11 department of insurance, securities division.

12 (2) Whenever the securities commissioner, or words of like effect, are
13 referred to or designated by statute, contract or other document, and such
14 reference or designation is in regard to any function, power or duty of the
15 securities commissioner of Kansas, such reference or designation shall be
16 deemed to apply to the department of insurance assistant commissioner,
17 securities division.

18 (c) All rules and regulations, orders and directives of the securities
19 commissioner of Kansas that are in effect on July 1, 2025, shall continue
20 to be effective and shall be deemed to be rules and regulations, orders and
21 directives of the department of insurance assistant commissioner, securities
22 division until amended, revoked or nullified pursuant to law.

23 Sec. 3. K.S.A. 2024 Supp. 40-102 is hereby amended to read as
24 follows: 40-102. There is hereby established a department to be known as
25 the *Kansas department of insurance department*, and such department shall
26 ~~have a~~. The chief officer—*entitled of the department shall be* the
27 commissioner of insurance. The commissioner of insurance shall be
28 charged with the administration of all laws relating to insurance, insurance
29 companies and fraternal benefit societies doing business in this state and
30 all other duties that are or may be imposed upon such officer by law.

31 Sec. 4. K.S.A. 2024 Supp. 75-6301 is hereby amended to read as
32 follows: 75-6301. (a) There is hereby established under the jurisdiction of
33 the commissioner of insurance ~~a division to be known as the office of the~~
34 ~~securities commissioner of Kansas~~ *the department of insurance, securities*
35 *division*. The ~~office~~ *department of insurance, securities division* shall be
36 administered by the ~~securities commissioner of Kansas~~ *department of*
37 *insurance assistant commissioner, securities division* who shall be in the
38 unclassified service under the Kansas civil service act. The ~~securities~~
39 ~~commissioner~~ *department of insurance assistant commissioner, securities*
40 *division* shall be appointed by the commissioner of insurance ~~and be~~
41 ~~subject to confirmation by the senate as provided in K.S.A. 75-4315b, and~~
42 ~~amendments thereto~~. The ~~securities commissioner~~ *department of*
43 *insurance assistant commissioner, securities division* shall have special

1 training and qualifications for such position,—shall receive such
2 compensation as may be fixed by the commissioner of insurance and—shall
3 serve at the pleasure of the commissioner of insurance. ~~Except as provided~~
4 ~~by K.S.A. 46-2601, and amendments thereto, no person appointed as~~
5 ~~securities commissioner shall exercise any power, duty or function as~~
6 ~~securities commissioner until confirmed by the senate.~~

7 (b) ~~The securities commissioner~~ *department of insurance assistant*
8 *commissioner, securities division* shall devote full time to the performance
9 of the duties of the ~~office of the securities commissioner~~ *department of*
10 *insurance, securities division.*

11 (c) ~~The securities commissioner~~ *department of insurance assistant*
12 *commissioner, securities division* may appoint directors and other
13 employees within the ~~office of the securities commissioner~~ *department of*
14 *insurance, securities division* as determined necessary by the ~~securities~~
15 ~~commissioner~~ *department of insurance assistant commissioner, securities*
16 *division* to effectively carry out the mission of the office. All directors
17 appointed after the effective date of this act shall be in the unclassified
18 service under the Kansas civil service act,—shall have special training and
19 qualifications for such positions,—shall serve at the pleasure of the
20 ~~securities commissioner~~ *department of insurance assistant commissioner,*
21 *securities division* and—shall receive compensation fixed by the ~~securities~~
22 ~~commissioner~~ *department of insurance assistant commissioner, securities*
23 *division* and approved by the commissioner of insurance.

24 (d) Nothing in subsection (c) shall affect the classified status of any
25 person employed in the ~~office of the securities commissioner~~ *department*
26 *of insurance, securities division* on the day immediately preceding the
27 effective date of this act. The provisions of this subsection shall not be
28 construed to limit the powers of the ~~securities commissioner~~ *department of*
29 *insurance assistant commissioner, securities division* pursuant to K.S.A.
30 75-2948, and amendments thereto.

31 (e) ~~The office of the securities commissioner of Kansas~~ *department*
32 *of insurance, securities division* shall cooperate with the ~~department of~~
33 ~~insurance~~ *department* to consolidate administrative functions and cross-
34 appoint such employees as deemed necessary to provide efficiency. The
35 commissioner of insurance and the ~~securities commissioner~~ *department of*
36 *insurance assistant commissioner, securities division* are hereby authorized
37 to enter into agreements and adopt rules and regulations as necessary to
38 administer the provisions of this subsection.

39 Sec. 5. K.S.A. 75-6302, 75-6303, 75-6304, 75-6305, 75-6306 and 75-
40 6307 and K.S.A. 2024 Supp. 40-102 and 75-6301 are hereby repealed.

41 Sec. 6. This act shall take effect and be in force from and after its
42 publication in the ~~statute book~~ **Kansas register.**