

As Amended by House Committee

Session of 2013

SENATE BILL No. 122

By Committee on Judiciary

2-5

1 AN ACT concerning the Kansas administrative procedure act; service of  
2 order or notice; amending K.S.A. 2012 Supp. 77-531 and repealing the  
3 existing section.

4  
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2012 Supp. 77-531 is hereby amended to read as  
7 follows: 77-531. Service of an order or notice shall be made upon the party  
8 and the party's attorney of record, if any, by delivering a copy of the order  
9 or notice to the person to be served or by mailing a copy of the order or  
10 notice to the person at the person's last known address, ~~or by such~~  
11 ~~electronic notice as may be agreed upon by the parties, if the person has~~  
12 **consented to service by electronic notice, by sending a copy of the**  
13 **order or notice to the person by electronic means.** Service shall be  
14 presumed if the presiding officer, or a person directed to make service by  
15 the presiding officer, makes a written certificate of service. Delivery of a  
16 copy of an order or notice means handing the order or notice to the person  
17 or leaving the order or notice at the person's principal place of business or  
18 residence with a person of suitable age and discretion who works or  
19 resides therein. Service by mail is complete upon mailing. *Service by*  
20 *electronic ~~notice~~ means is complete upon transmission or as otherwise*  
21 ~~*agreed upon by the parties*~~ **specified in the consent.** Whenever a party has  
22 the right or is required to do some act or take some proceedings within a  
23 prescribed period after service of a notice or order and the notice or order  
24 is served by mail, three days shall be added to the prescribed period.

25 Sec. 2. K.S.A. 2012 Supp. 77-531 is hereby repealed.

26 Sec. 3. This act shall take effect and be in force from and after its  
27 publication in the statute book.