

SENATE BILL No. 340

By Committee on Financial Institutions and Insurance

1-20

1 AN ACT concerning the office of the securities commissioner of Kansas;
2 appointment of securities commissioner by the commissioner of
3 insurance; cooperation with the insurance department; amending
4 K.S.A. 2015 Supp. 75-6301 and repealing the existing section.

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

7 Section 1. K.S.A. 2015 Supp. 75-6301 is hereby amended to read as
8 follows: 75-6301. (a) There is hereby established the office of the
9 securities commissioner of Kansas. The office shall be administered by the
10 securities commissioner of Kansas who shall be in the unclassified service
11 under the Kansas civil service act ~~and shall serve at the pleasure of the~~
12 ~~governor~~. The securities commissioner shall be appointed by the ~~governor~~
13 *commissioner of insurance*, subject to confirmation by the senate as
14 provided in K.S.A. 75-4315b, and amendments thereto, shall have special
15 training and qualifications for such position and shall receive such
16 compensation as may be fixed by the ~~governor~~ *commissioner of insurance*.
17 *The commissioner of insurance may remove the securities commissioner*
18 *for official misconduct*. Except as provided by K.S.A. 46-2601, and
19 amendments thereto, no person appointed as securities commissioner shall
20 exercise any power, duty or function as securities commissioner until
21 confirmed by the senate.

22 (b) *A duly-confirmed securities commissioner currently serving on*
23 *the effective date of this act shall continue in office for an initial term*
24 *ending on the second Monday in January next succeeding such effective*
25 *date. Upon expiration of the initial term under this section, the*
26 *commissioner of insurance shall appoint a person as securities*
27 *commissioner to serve a four-year term beginning on the second Monday*
28 *in January next succeeding the effective date of this act. Upon occurrence*
29 *of a vacancy in the office of securities commissioner, the commissioner of*
30 *insurance shall appoint a successor. If the vacancy occurs before the*
31 *expiration of a term of office, the appointment shall be for the unexpired*
32 *term. Any person currently serving as a duly-confirmed securities*
33 *commissioner when reappointed to a subsequent term shall not be*
34 *required to be reconfirmed by the senate.*

35 (c) The securities commissioner may appoint directors *and other*
36 *employees* within the office of the securities commissioner as determined

1 necessary by the securities commissioner to effectively carry out the
2 mission of the office. All directors appointed after the effective date of this
3 act shall be in the unclassified service under the Kansas civil service act,
4 shall have special training and qualifications for such positions, shall serve
5 at the pleasure of the securities commissioner and shall receive
6 compensation fixed by the securities commissioner and approved by the
7 ~~governor~~ *commissioner of insurance*.

8 ~~(e)~~ *(d)* Nothing in subsection ~~(b)~~ *(c)* shall affect the classified status
9 of any person employed in the office of the securities commissioner on the
10 day immediately preceding the effective date of this act. The provisions of
11 this subsection shall not be construed to limit the powers of the securities
12 commissioner pursuant to K.S.A. 75-2948, and amendments thereto.

13 *(e) The office of the securities commissioner of Kansas shall*
14 *cooperate with the insurance department to consolidate administrative*
15 *functions and cross-appoint such employees as deemed necessary to*
16 *provide efficiency while executing the functions of each agency. The*
17 *commissioner of insurance and the securities commissioner are hereby*
18 *authorized to adopt rules and regulations as necessary to administer the*
19 *provisions of this subsection.*

20 Sec. 2. K.S.A. 2015 Supp. 75-6301 is hereby repealed.

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