

*As Amended by Senate Committee*

---

*Session of 2016*

**SENATE BILL No. 438**

By Committee on Financial Institutions and Insurance

2-10

---

1 AN ACT concerning insurance; relating to property and casualty  
2 insurance; policy renewals; amending K.S.A. 40-297 and repealing the  
3 existing section; also repealing K.S.A. 40-296.  
4

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

6 ~~New~~ Section 1. **(a)** A policy of insurance for property and casualty  
7 coverage will be considered renewed by: ~~(a)~~ **(1)** The issuance and delivery  
8 of a policy by ~~an~~ **the current** insurer or by an insurer within the same  
9 group of affiliated insurers replacing the existing policy at the end of the  
10 policy period or term with no gap in coverage; or ~~(b)~~ **(2)** the issuance and  
11 delivery of a certificate or notice extending the term of the policy beyond  
12 its policy period or term.

13 **(b)** *As used in this section, the term "group affiliated insurers"*  
14 *means two or more insurance companies that are under substantially the*  
15 *same management or financial control.*

16 **(c)** *When a policy of insurance is renewed by an insurer within the*  
17 *same group of affiliated insurers, notice of the change of the policy to*  
18 *the affiliated company shall be provided to the insured at the last known*  
19 *address and made available to the agent of record on or before 30 days*  
20 *before the end of the term or period of the existing policy of insurance.*  
21 *Such notice may be satisfied by delivery of the new policy to the insured.*

22 ~~Sec. 2. K.S.A. 40-297 is hereby amended to read as follows: 40-297.~~  
23 ~~The term "group of affiliated insurers insurers" as used in K.S.A. 40-296~~  
24 ~~section 1, and amendments thereto, shall mean two or more insurance~~  
25 ~~companies which that are under substantially the same management and/or~~  
26 ~~or financial control.~~

27 ~~Sec. 3. K.S.A. 40-296 and 40-297 are hereby repealed.~~

28 ~~Sec. 4. 2.~~ This act shall take effect and be in force from and after its  
29 publication in the statute book.