

SENATE BILL No. 359

By Committee on Public Health and Welfare

2-3

1 AN ACT concerning funeral arrangements; relating to prearranged funeral
2 agreements; removing the monetary cap on irrevocable agreements;
3 amending K.S.A. 2019 Supp. 16-303 and repealing the existing section.
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2019 Supp. 16-303 is hereby amended to read as
7 follows: 16-303. (a) Except as authorized by K.S.A. 16-308, and
8 amendments thereto, all payments made under such agreement, contract or
9 plan, and any earnings or interest thereon, shall remain with such bank,
10 credit union or savings and loan association until the death of the person
11 for whose service the funds were paid or, except as provided in subsection
12 (c), until demand for payment is made by the purchaser of the merchandise
13 or services to the bank, credit union or savings and loan association, and
14 upon such payment to the purchaser, the contract shall terminate.

15 (b) At the option of a purchaser, any installment contract may provide
16 for additional payments by the purchaser for the cost of group credit life
17 insurance at such rate as is approved from time to time by the insurance
18 commissioner. In the event of the death of the purchaser, the proceeds shall
19 be treated as funds in accordance with K.S.A. 16-304, and amendments
20 thereto.

21 (c) At the option of the purchaser, such agreement, contract or plan
22 may be made irrevocable ~~as to the retail price of a casket, urn and outside~~
23 ~~burial container and as to the first \$7,000 of funds paid~~ and set aside at the
24 direction of the purchaser. Any interest and earnings accumulated under
25 the agreement, contract or plan may also be irrevocable. This option shall
26 not prohibit the purchaser ~~to designate~~ *from designating* a different funeral
27 home at any time prior to death; after written notice to the current funeral
28 home, and, upon such notification, all documents and funds shall be
29 transferred as necessary.

30 Sec. 2. K.S.A. 2019 Supp. 16-303 is hereby repealed.

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