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MEMORANDUM

To: Senate Committee on Financial Institutions and Insurance
From: Office of Revisor of Statutes
Date: February 7, 2023
Subject: Bill Brief, SB 85

SB 85 enacts the Kansas travel insurance act (Act), which is largely based on the NAIC model travel insurance act. The bill would enact 10 new provisions of law and also amends K.S.A. 404903, providing the description of travel insurance as a line of authority in which an agent may receive qualifications for licensure.

Section 1 of the bill provides the citation of the Act.

Section 2 of the bill states the purpose and states to whom the Act applies.

Section 3 of the bill is the definitions section of the Act.

Section 4 of the bill provides requirements for the licensing of limited lines travel insurance producers and the registration of travel retailers that may sell travel insurance under the license of a limited lines travel insurance producer.

Section 5 of the bill provides for a premium tax on travel insurers.

Section 6 provides the requirements that must be satisfied in order for travel protection plans to be offered for one price.

Section 7 provides the requirements for sales and marketing of travel insurance, and what would constitute an unfair trade practice under K.S.A. 40-2401 et seq.

Section 8 sets forth the conditions under which a person may be a travel administrator.

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Section 9 provides that travel insurance shall be classified and filed for purposes of rates and forms under an inland marine line of insurance.

Section 10 authorizes the commissioner to adopt rules and regulations to implement and enforce the Act.

Section 11 provides a description of travel insurance for purposes of categorization as a line of insurance.

Finally, if enacted, the bill would have a delayed effective date of January 1, 2024.

The Senate Committee of the Whole passed SB 85 on a vote of 34 to 5 on February 22, 2023.