

SENATE BILL No. 315

By Committee on Financial Institutions and Insurance

1-28

1 AN ACT concerning the Kansas state fair; pertaining to the purchase of
2 certain insurance coverage; amending K.S.A. 2-224 and K.S.A. 2013
3 Supp. 75-4105 and 75-4109 and repealing the existing sections.
4

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

6 Section 1. K.S.A. 2-224 is hereby amended to read as follows: 2-224.

7 (a) The state fair board is hereby authorized to purchase safe burglary and
8 messenger robbery insurance coverage in amounts deemed appropriate by
9 such board for the period of the annual Kansas state fair and during the
10 remainder of the year. Such board is also authorized to purchase insurance
11 coverage for any rented or borrowed motorized vehicles used during the
12 state fair indemnifying the board against loss or damage to such vehicles
13 and against liability for the operation of such vehicles. ~~The insurance shall
14 be acquired through the committee on surety bonds and insurance as
15 provided by law.~~

16 (b) *The state fair board is hereby authorized to purchase event
17 cancellation and rain insurance coverage in amounts deemed appropriate
18 by such board for the period of the annual Kansas state fair and during
19 the remainder of the year.*

20 (c) *Any insurance purchased pursuant to this section shall not be
21 required to be acquired through the committee on surety bonds and
22 insurance as required by K.S.A 75-4101 et seq., and amendments thereto.*

23 Sec. 2. K.S.A. 2013 Supp. 75-4105 is hereby amended to read as
24 follows: 75-4105. Except as provided in K.S.A. 2013 Supp. 75-4125 and
25 section 1, and amendments thereto, all surety bonds and insurance
26 contracts purchased pursuant to this act shall be purchased by the
27 committee in the manner prescribed for the purchase of supplies,
28 materials, equipment or contractual services under K.S.A. 75-3738 to 75-
29 3744, inclusive, and amendments thereto. The director of accounts and
30 reports shall not pay any premium or rate on any surety bond or insurance
31 contract until the purchase of such surety bond or contract shall have been
32 approved by the secretary of the committee. Surety bonds or insurance
33 contracts having a premium or rate in excess of \$500 purchased hereunder
34 shall be purchased on sealed bids as provided by law for the purchase of
35 other materials, equipment or contractual services. Where more than one
36 state agency is covered by any bond or insurance contract, the committee

1 shall prorate the cost of premiums or rates on any and all such bonds or
2 contracts, except as provided in K.S.A. 75-4114, and amendments thereto,
3 purchased as charges upon the funds of the state agency wherein any
4 covered state officers or employees are employed or covered property is
5 located or controlled. Such prorated charges shall constitute a lawful
6 charge by the committee upon the funds available to any such state agency
7 and shall be paid by each such state agency to the committee, or to the
8 surety or insurance carrier if the committee requires it, in the manner
9 provided by law for the payment of other obligations of such state agency.

10 Sec. 3. K.S.A. 2013 Supp. 75-4109 is hereby amended to read as
11 follows: 75-4109. (a) *Subject to the provisions of section 1, and*
12 *amendments thereto*, the committee, at least once every three years, shall
13 approve the property and casualty insurance coverages that shall be
14 purchased by each state agency.

15 (b) *Subject to the provisions of section 1, and amendments thereto*,
16 the committee shall require that each state agency purchase the insurance
17 coverages prescribed by K.S.A. 74-4703, 74-4705, 74-4707, 75-712e, 75-
18 2728, 76-218, 76-391, 76-394, 76-747 and 76-491, and amendments ~~to~~
19 ~~these sections~~ *thereto*, and shall prescribe the terms, conditions and
20 amounts of such coverage giving due regard to the operations and
21 requirements of the agencies involved.

22 (c) *Subject to the provisions of section 1, and amendments thereto*,
23 the committee shall, in addition to the coverages specified in subsection
24 (b), designate the insurance coverages to be purchased by each state
25 agency that are deemed by the committee to be necessary to protect the
26 state for property of others that may be in the possession or control of such
27 state agencies.

28 (d) Such coverages as are specified in subsections (b) and (c) may
29 also include coverages on property of the state that are deemed by the
30 committee to be incidental to the basic coverages herein required, and the
31 committee shall prescribe the terms, conditions and amounts of all
32 insurance coverages purchased pursuant to this section. Property of the
33 state board of regents of any university or college which is referred to in
34 subsection (b) may be self-insured as provided under this act.

35 (e) No property insurance coverage may be purchased by the
36 committee, except as provided herein or by K.S.A. 2013 Supp. 75-4125,
37 and amendments thereto, or specifically required by other Kansas statutes
38 or appropriations.

39 Sec. 4. K.S.A. 2-224 and K.S.A. 2013 Supp. 75-4105 and 75-4109
40 are hereby repealed.

41 Sec. 5. This act shall take effect and be in force from and after its
42 publication in the statute book.