

SESSION OF 2017

**CONFERENCE COMMITTEE REPORT BRIEF
SENATE BILL NO. 201**

As Agreed to May 24, 2017

Brief*

SB 201 would amend the Kansas Consumer Protection Act (Act). The bill would add members of the military to the definition of “protected consumer” found in the Act. Current law includes veterans, surviving spouses of veterans, and immediate family members of members of the military, but does not specifically include current members of the military.

Conference Committee Action

The Conference Committee did not adopt the changes made by the House Committee on Federal and State Affairs or the House Committee of the Whole regarding “robocalls”, returning the bill to the version originally introduced.

Background

SB 201 was introduced in the Senate Committee on Federal and State Affairs at the request of Senator Rogers. In the Senate Committee hearing, Senator Rogers and a private citizen testified in support of the bill. The two proponents stated they believed the omission of active duty military personnel from the definition of “protected consumer” was an oversight. Written-only proponent testimony was provided by

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kldr>

the Attorney General and a private citizen. No other testimony was provided.

The Senate Committee considered the bill on March 14, 2017, and recommended the bill favorably for passage the same day.

The bill was removed from the Senate Calendar and rereferred to the Senate Committee on April 4, 2017. On April 5, 2017, the Senate Committee again recommended the bill favorably for passage and recommended the bill be placed on the Consent Calendar.

In the House Committee on Federal and State Affairs hearing, Senator Rogers testified in support of the bill. Written-only proponent testimony was provided by the Attorney General and two private citizens. No further testimony was provided.

The House Committee amended the bill by inserting the contents of HB 2273, concerning new restrictions for telephone solicitors who use robocalls.

The House Committee of the Whole further amended the bill by amending the definitions of “consumer telephone call” and “unsolicited consumer telephone call.”

[*Note:* The Conference Committee did not adopt the changes made by the House Committee on Federal and State Affairs or the House Committee of the Whole, returning the bill to the version originally introduced.]

According to the fiscal note prepared by the Division of the Budget on SB 201, as introduced, the Office of the Attorney General (Office) indicates expanding the list of protected consumers may result in an increase in the number of complaints filed with the Office, which would increase expenses in the form of additional staff time. The bill could also result in additional revenues from recoveries. Under current law, a person who is found to be in violation of the

Kansas Consumer Protection Act against a protected consumer may face civil penalties of up to \$10,000 per violation. However, the fiscal effect is unknown because the Office is unable to estimate the number of additional complaints that may be filed with the agency. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2018 Governor's Budget Report*.

Kansas Consumer Protection Act, active duty military

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