

HOUSE BILL No. 2487

By Committee on Insurance

1-17

1 AN ACT concerning insurance; relating to policies to assure the payment
2 of compensation under the workers compensation act; powers and
3 duties of the commissioner of insurance.

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

6 Section 1. (a) The amount by which an employer's experience rating
7 is modified, if at all, as the result of a motor vehicle accident in which an
8 employee is injured or killed shall be reduced in accordance with this
9 section if:

10 (1) The employee is entitled to benefits under the workers
11 compensation act;

12 (2) the accident was not caused, wholly or in part, by the employee or
13 the employer; and

14 (3) the use of a motor vehicle is not an integral part of the employer's
15 business, as determined under rules and regulations promulgated by the
16 commissioner of insurance.

17 (b) (1) Any modification of an employer's experience rating resulting
18 from an accident described in subsection (a) shall reflect the deduction of a
19 loss limitation in an amount that shall be determined under rules and
20 regulations promulgated by the commissioner of insurance.

21 (2) All loss experience remaining after deduction of the loss
22 limitation referred to in this subsection shall be distributed among all
23 workers' compensation classifications in use in the state as determined by
24 the commissioner of insurance. For purposes of such distribution,
25 classifications of businesses of which use of a motor vehicle is an integral
26 part may be treated differently from classifications of businesses of which
27 use of a motor vehicle is not an integral part.

28 (c) This section applies to all insurers offering a policy of insurance
29 against liability under the workers compensation act. The provisions of
30 this section shall be disclosed to all policyholders annually.

31 (d) The commissioner of insurance shall promulgate the rules and
32 regulations required by this section no later than January 1, 2019.

33 Sec. 2. This act shall take effect and be in force from and after its
34 publication in the statute book.