

As Amended by House Committee

Session of 2021

HOUSE BILL No. 2391

By Committee on Commerce, Labor and Economic Development

2-12

1 AN ACT concerning business entities; providing for biannual filing of
2 business reports; changing business filing provisions and requirements
3 related to business names and electronic signatures; removing certain
4 exemptions from the open records act for certain business tax records
5 no longer required to be filed; UCC filings with improperly included
6 social security numbers; other filing or information requirements; filing
7 fees; repealing certain obsolete statutes including relating to blanket
8 music licenses; amending K.S.A. 17-1513, 17-1618, 17-2037, 17-2711,
9 17-4677, 17-5902, 17-7509, 17-7511, 53-601, 56-1a151, 56-1a605,
10 56a-101, 75-446 and 75-3520 and K.S.A. 2020 Supp. 17-2036, 17-
11 2718, 17-4634, 17-6014, 17-6014, as amended by section 10 of this act,
12 17-7002, 17-7503, 17-7504, 17-7505, 17-7506, 17-7510, 17-7512, 17-
13 76,136, 17-76,139, 17-76,147, 17-78-601, 17-7903, 17-7904, 17-7905,
14 17-7906, 17-7910, 17-7910, as amended by section 29 of this act, 17-
15 7936, 45-229, 56-1a606, 56-1a607, 56a-1001, 56a-1201 and 56a-1202
16 and repealing the existing sections; also repealing K.S.A. 17-7507, 57-
17 205, 57-206, 57-207 and 75-447.

18

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

20 Section 1. On and after January 1, 2023, K.S.A. 17-1513 is hereby
21 amended to read as follows: 17-1513. Each corporation organized under
22 the provisions of this act shall make ~~an annual~~ *a written business entity*
23 *information* report to the secretary of state, and pay the ~~annual report~~
24 *required* fee, as prescribed by K.S.A. 17-7503, and amendments thereto.

25 Sec. 2. On and after January 1, 2023, K.S.A. 17-1618 is hereby
26 amended to read as follows: 17-1618. Each association formed under this
27 act, ~~or acts amendatory thereto~~, shall prepare and make ~~an annual~~ *a written*
28 *business entity information* report to the secretary of state, and pay the
29 ~~annual report required~~ fee, as prescribed by K.S.A. 17-7504, and
30 amendments thereto, ~~except that the report shall be filed at the time~~
31 ~~prescribed by law for filing the association's annual Kansas income tax~~
32 ~~return.~~

33 Sec. 3. On and after January 1, 2023, K.S.A. 2020 Supp. 17-2036 is
34 hereby amended to read as follows: 17-2036. (a) Every business trust shall
35 make ~~an annual~~ *a written business entity information* report ~~in writing~~
36 to the secretary of state, stating the prescribed information concerning the

1 business trust at the close of business on the last day of its tax period under
2 the Kansas income tax act next preceding the date of filing, but if a
3 business trust's tax period is other than the calendar year, it shall give
4 notice thereof to the secretary of state prior to December 31 of the year it
5 commences such tax period.

6 (b) ~~The reports~~ report shall be made on forms provided by the
7 secretary of state and shall be filed *biennially, as determined by the year*
8 *that the business trust filed its formation documents. A business trust that*
9 *filed formation documents in an even-numbered year shall file a report in*
10 *each even-numbered year. A business trust that filed formation documents*
11 *in an odd-numbered year shall file a report in each odd-numbered year.*
12 *The report shall be filed after the close of the business trust's tax period*
13 *but not later than at the time prescribed by law for filing the business*
14 *trust's annual Kansas income tax return.*

15 (c) The report shall be signed by a trustee or other authorized officer
16 under penalty of perjury and contain the following:

17 (1) Executed copies of all amendments to the instrument by which the
18 business trust was created, or to prior amendments thereto, ~~which that~~
19 have been adopted and have not theretofore been filed under K.S.A. 17-
20 2033, and amendments thereto, and accompanied by the fee prescribed
21 therein for each such amendment; and

22 (2) a verified list of the names and addresses of its trustees as of the
23 end of ~~its tax period~~ *each of such business trust's tax periods included in*
24 *the report.*

25 ~~(b)(d)~~ (1) At the time of filing ~~its annual~~ *the business entity*
26 *information report, the business trust shall pay to the secretary of state an*
27 ~~annual report~~ *a fee in an amount equal to \$40 \$80, plus the amount*
28 *specified in rules and regulations of the secretary multiplied by the*
29 *number of tax periods included in the report.*

30 (2) The failure of any domestic or foreign business trust to file its
31 ~~annual business entity information~~ report and pay ~~its annual report~~ *the*
32 *required fee within 90 days from the date on which they such report and*
33 *fee are due, as described in subsection (a), or, in the case of an annual a*
34 *report filing and fee received by mail, postmarked within 90 days from the*
35 *date on which they such report and fee are due, as described in subsection*
36 ~~(a)~~ *, shall work a forfeiture of its such business trust's authority to transact*
37 *business in this state and all of the remedies, procedures and penalties*
38 *specified in K.S.A. 17-7509 and 17-7510, and amendments thereto, with*
39 *respect to a corporation which that fails to file its annual business entity*
40 *information report or pay its annual report the required fee within 90 days*
41 *after they such report and fee are due, shall be applicable to such business*
42 *trust.*

43 ~~(e)~~(e) (1) All copies of applications for extension of the time for

1 filing income tax returns submitted to the secretary of state pursuant to law
2 shall be maintained by the secretary of state in a confidential file and shall
3 not be disclosed to any person except as authorized pursuant to the
4 provisions of K.S.A. 79-3234, and amendments thereto, a proper judicial
5 order and ~~subsection (d) paragraph (2)~~. All copies of such applications
6 shall be preserved for one year and until the secretary of state orders that
7 the copies are to be destroyed.

8 ~~(d)(2)~~ A copy of such application shall be open to inspection by or
9 disclosure to any person designated by resolution of the trustees of the
10 business trust.

11 Sec. 4. On and after January 1, 2023, K.S.A. 17-2037 is hereby
12 amended to read as follows: 17-2037. (a) Any business trust, domestic or
13 foreign, ~~which~~ *that* has obtained authority under this act to transact
14 business in Kansas may surrender its authority at any time by:

15 (1) Filing in the office of the secretary of state a certified copy of a
16 resolution duly adopted by its trustees declaring its intention to withdraw,
17 ~~accompanied by;~~

18 (2) *paying* a withdrawal fee of \$20 *at the time the resolution is filed;*
19 and

20 (3) filing all ~~annual~~ *business entity information* reports and paying all
21 ~~annual report~~ fees required by K.S.A. 17-2036, and amendments thereto,
22 ~~and that such business trust has not previously filed and paid.~~

23 (b) During a period of five years following the effective date of such
24 withdrawal the business trust shall nevertheless be entitled to convey and
25 dispose of its property and assets in this state, settle and close out its
26 business in this state, and perform any other act or acts pertinent to the
27 liquidation of its business, property, and assets in this state, and to
28 prosecute and defend all suits filed prior to the expiration of such five-year
29 period involving causes of action arising prior to the effective date of such
30 withdrawal or arising out of any act or transaction occurring during such
31 five-year period in the course of the liquidation of its business, property or
32 assets.

33 (c) The withdrawal of a business trust as provided in this section shall
34 have no effect upon any suit filed by or against it prior to the expiration of
35 such five-year period until such suit has been finally determined or
36 otherwise finally concluded and all judgments, orders and decrees entered
37 therein have been fully executed, even though such final determination,
38 conclusion, or execution occurs after the expiration of such five-year
39 period. With respect to a foreign business trust, withdrawal pursuant to this
40 section shall not affect its written consent to be sued in the courts of this
41 state, or the jurisdiction over such foreign business trust of the courts of
42 this state, with respect to any cause of action which arose prior to the
43 effective date of its withdrawal.

1 Sec. 5. K.S.A. 17-2711 is hereby amended to read as follows: 17-
2 2711. The corporate name of a corporation organized and operating
3 hereunder may be any name not contrary to law or the ethics of the
4 profession involved. Such name may include any name set forth in K.S.A.
5 17-6002, *and amendments thereto*, but in all cases the corporate name
6 shall end with the word "chartered" or "professional association" or the
7 abbreviation "P.A." *or "PA". The abbreviations "P.A." and "PA" shall be*
8 *considered to be identical.*

9 Sec. 6. On and after January 1, 2023, K.S.A. 2020 Supp. 17-2718 is
10 hereby amended to read as follows: 17-2718. (a) Each professional
11 corporation organized under the laws of this state shall file with the
12 secretary of state ~~an annual~~ *a written business entity information report in*
13 ~~writing~~ stating the prescribed information concerning the corporation at
14 the close of business on the last day of its tax period next preceding the
15 date of filing, but if any such corporation's tax period is other than the
16 calendar year it shall give notice thereof to the secretary of state prior to
17 December 31 of the year it commences such tax period.

18 (b) The report shall be filed *biennially, as determined by the year that*
19 *the professional corporation filed its formation documents. A professional*
20 *corporation that filed formation documents in an even-numbered year*
21 *shall file a report in each even-numbered year. A professional corporation*
22 *that filed formation documents in an odd-numbered year shall file a report*
23 *in each odd-numbered year. The report shall be filed after the close of the*
24 *professional corporation's tax period but not later than at the time*
25 *prescribed by law for filing the corporation's annual Kansas income tax*
26 *return.*

27 (c) The report shall be made on a form provided by the secretary of
28 state, containing the following information:

29 (1) The names and addresses of all officers, directors and
30 shareholders of the professional corporation;

31 (2) a statement that each officer, director and shareholder is or is not a
32 qualified person as defined in K.S.A. 17-2707, and amendments thereto,
33 and setting forth the date on which any shares of the corporation were no
34 longer owned by a qualified person; and

35 (3) the amount of capital stock issued.

36 ~~(b)~~(d) The report shall be signed by its president, secretary, treasurer
37 or other officer duly authorized so to act, or by any two of its directors, or
38 by an incorporator in the event ~~its~~ *the corporation's* board of directors
39 shall not have been elected. *The official title or position of the individual*
40 *signing the report shall be designated.* The fact that an individual's name is
41 signed on such report shall be prima facie evidence that such individual is
42 authorized to sign the report on behalf of the corporation; ~~however, the~~
43 ~~official title or position of the individual signing the report shall be~~

1 ~~designated.~~ *This* The report shall be subscribed by the person as true, under
 2 penalty of perjury. Upon request by the regulatory board ~~which that~~
 3 licenses the shareholders described in the report, a copy of the ~~annual~~
 4 report shall be forwarded to the regulatory board.

5 (e) At the time of filing its ~~annual~~ *business entity information* report,
 6 each professional corporation shall pay the ~~annual report~~ fee prescribed by
 7 K.S.A. 17-7503, and amendments thereto.

8 Sec. 7. On and after January 1, 2023, K.S.A. 2020 Supp. 17-4634 is
 9 hereby amended to read as follows: 17-4634. (a) Every corporation
 10 organized under the electric cooperative act of this state shall make ~~an~~
 11 ~~annual~~ *a written business entity information* report ~~in writing~~ to the
 12 secretary of state, stating the prescribed information concerning the
 13 corporation at the close of business on the last day of its tax period next
 14 preceding the date of filing, but if any such corporation's tax period is
 15 other than the calendar year, it shall give notice thereof to the secretary of
 16 state prior to December 31 of the year it commences such tax period.

17 (b) The report shall be filed ~~on or before~~ *biennially, as determined by*
 18 *the year that the electric cooperative filed its formation documents. An*
 19 *electric cooperative that filed formation documents in an even-numbered*
 20 *year shall file a report in each even-numbered year. An electric*
 21 *cooperative that filed formation documents in an odd-numbered year shall*
 22 *file a report in each odd-numbered year. The report shall be filed after the*
 23 *close of the electric cooperative's tax period but not later than the 15th day*
 24 *of the 4th fourth month following the close of the tax year of the electric*
 25 *cooperative.*

26 (c) The report shall be made on a form provided by the secretary of
 27 state, containing the following information:

- 28 (1) The name of the corporation;
- 29 (2) the location of the principal office;
- 30 (3) the names and addresses of the president, secretary, treasurer and
 31 all directors;
- 32 (4) the number of memberships issued; and
- 33 (5) the change or changes, if any, in the particulars made since the
 34 last ~~annual~~ *business entity information* report.

35 ~~(b)(d)~~ Such reports shall be signed by the president, vice-president or
 36 secretary of the corporation under penalty of perjury and forwarded to the
 37 secretary of state.

38 (e) At the time of filing ~~such annual~~ *its business entity information*
 39 report, each such corporation shall pay ~~an annual report~~ a fee in an amount
 40 equal to ~~\$40~~ *\$80, plus the amount specified in rules and regulations of the*
 41 *secretary multiplied by the number of tax periods included in the report.*

42 Sec. 8. On and after January 1, 2023, K.S.A. 17-4677 is hereby
 43 amended to read as follows: 17-4677. (a) Every cooperative organized

1 under the renewable energy electric generation cooperative act shall make
 2 ~~an annual~~ *a written business entity information report in writing* to the
 3 secretary of state, stating the prescribed information concerning the
 4 cooperative at the close of business on the last day of its tax period next
 5 preceding the date of filing, but if any such cooperative's tax period is
 6 other than the calendar year, it shall give notice thereof to the secretary of
 7 state prior to December 31 of the year it commences such tax period.

8 (b) The report shall be filed ~~on or before~~ *biennially, as determined by*
 9 *the year that the renewable energy electric generation cooperative filed its*
 10 *articles of formation documents. A renewable energy electric generation*
 11 *cooperative that filed formation documents in an even-numbered year*
 12 *shall file a report in each even-numbered year. A renewable energy*
 13 *electric generation cooperative that filed formation documents in an odd-*
 14 *numbered year shall file a report in each odd-numbered year. The report*
 15 *shall be filed after the close of the electric cooperative's tax period but not*
 16 *later than the 15th day of the sixth month following the close of the tax*
 17 *year of the electric cooperative.*

18 (c) The report shall be made on a form provided by the secretary of
 19 state, containing the following information:

- 20 (1) The name of the cooperative;
- 21 (2) the location of the principal office of the cooperative;
- 22 (3) the names and addresses of the president, secretary, treasurer and
 23 directors of the cooperative;
- 24 (4) the number of members of the cooperative; and
- 25 (5) the change or changes, if any, in the particulars made since the
 26 last ~~annual~~ *business entity information* report.

27 ~~(b)(d)~~ The ~~annual~~ report shall be dated, signed by the president, vice-
 28 president or secretary of the cooperative under penalty of perjury and
 29 forwarded to the secretary of state.

30 (e) At the time of filing ~~such annual~~ *its business entity information*
 31 *report, the cooperative shall pay an annual report a fee in an amount equal*
 32 *to ~~\$40~~ \$80, plus the amount specified in rules and regulations of the*
 33 *secretary multiplied by the number of tax periods included in the report.*

34 Sec. 9. On and after January 1, 2023, K.S.A. 17-5902 is hereby
 35 amended to read as follows: 17-5902. (a) All corporations and limited
 36 partnerships, as defined in K.S.A. 17-5903, and amendments thereto,
 37 ~~which that~~ hold agricultural land, as defined in K.S.A. 17-5903, and
 38 amendments thereto, within this state, and ~~which that~~ are required to make
 39 ~~annual~~ *written business entity information* reports to the secretary of state
 40 shall provide the information required of such corporations and limited
 41 partnerships in the ~~annual~~ *business entity information* reports made under
 42 K.S.A. 17-7503, 17-7504, 17-7505, 56-1a606 or 56-1a607, and
 43 amendments thereto. The information required by this section does not

1 apply to the following:

2 (1) A tract of land of less than 10 acres;

3 (2) contiguous tracts of land ~~which~~ *that* in the aggregate are of less
4 than 10 acres; or

5 (3) state assessed railroad operating property.

6 (b) Any person who shall knowingly submit, or who through the
7 proper and due exercise of care and diligence should have known that any
8 submission of information and statements required of corporations and
9 limited partnerships subject to the provisions of this section are false or
10 materially misleading, or who fails or refuses to submit such information
11 and statements is guilty of a class A misdemeanor.

12 (c) The secretary of state shall keep a separate index of all
13 corporations and limited partnerships subject to the provisions of this
14 section.

15 Sec. 10. K.S.A. 2020 Supp. 17-6014 is hereby amended to read as
16 follows: 17-6014. (a) Except as otherwise provided in subsections (b) and
17 (c), the provisions of the Kansas general corporation code shall apply to
18 nonstock corporations in the manner specified in this subsection:

19 (1) All references to stockholders of the corporation shall be deemed
20 to refer to members of the corporation;

21 (2) all references to the board of directors of the corporation shall be
22 deemed to refer to the governing body of the corporation;

23 (3) all references to directors or to members of the board of directors
24 of the corporation shall be deemed to refer to members of the governing
25 body of the corporation; and

26 (4) all references to stock, capital stock, or shares thereof of a
27 corporation authorized to issue capital stock shall be deemed to refer to
28 memberships of a nonprofit nonstock corporation and to membership
29 interests of any other nonstock corporation.

30 (b) Subsection (a) shall not apply to:

31 (1) K.S.A. 17-6002(a)(4), (b)(1) and (b)(2), 17-6009(a), 17-6301, 17-
32 6404, 17-6505, 17-6518, 17-6520(b), 17-6601, 17-6602, 17-6703, 17-
33 6705, 17-6706, 17-6707, 17-6708, 17-6801, 17-6805, 17-6805a, 17-7001,
34 17-7002, 17-7503(a)(4) and (b)(4), 17-7504, 17-7505(a)(4) and (b)(4) and
35 17-7514(c), *and amendments thereto*, and K.S.A. 2020 Supp. 17-6014, and
36 amendments thereto, ~~which~~ *that* apply to nonstock corporations by their
37 terms;

38 (2) K.S.A. 17-6002(e), the last sentence of 17-6009(b), 17-6401, 17-
39 6402, 17-6403, 17-6405, 17-6406, 17-6407(d), 17-6408, 17-6411, 17-
40 6412, 17-6413, 17-6414, 17-6415, 17-6416, 17-6417, 17-6418, 17-6501,
41 17-6502, 17-6503, 17-6504, 17-6506, 17-6509, 17-6512, 17-6521, 17-
42 6603, 17-6604, 17-6701, 17-6702, 17-6803 and 17-6804, *and amendments*
43 *thereto*, and K.S.A. 2020 Supp. 17-6427, 17-6428, 17-6429 and 17-72a04,

1 and amendments thereto; and

2 (3) article 72 and article 73 of chapter 17 of the Kansas Statutes
3 Annotated, and amendments thereto.

4 (c) In the case of a nonprofit nonstock corporation, subsection (a)
5 shall not apply to:

6 (1) The sections and articles listed in subsection (b);

7 (2) K.S.A. 17-6002(b)(3), 17-6304(a)(2), 17-6507, 17-6508, 17-6712,
8 17-7503, 17-7505, 17-7509; ~~and 17-7511 and 17-7514~~, and amendments
9 *thereto*, and K.S.A. 2020 Supp. 17-6011(a)(2) and (a)(3), and amendments
10 *thereto*; and

11 (3) article 64 of chapter 17 of the Kansas Statutes Annotated, and
12 amendments thereto, and K.S.A. 2020 Supp. 17-72a01 through 17-72a09,
13 and amendments thereto.

14 (d) For purposes of the Kansas general corporation code:

15 (1) A "charitable nonstock corporation" is any nonprofit nonstock
16 corporation that is exempt from taxation under § 501(c)(3) of the federal
17 internal revenue code of 1986, 26 U.S.C. § 501(c)(3);

18 (2) a "membership interest" is, unless otherwise provided in a
19 nonstock corporation's articles of incorporation, a member's share of the
20 profits and losses of a nonstock corporation, or a member's right to receive
21 distributions of the nonstock corporation's assets, or both;

22 (3) a "nonprofit nonstock corporation" is a nonstock corporation that
23 does not have membership interests; and

24 (4) a "nonstock corporation" is any corporation organized under the
25 Kansas general corporation code that is not authorized to issue capital
26 stock.

27 Sec. 11. On and after January 1 2023, K.S.A. 2020 Supp. 17-6014, as
28 amended by section 10 of this act, is hereby amended to read as follows:
29 17-6014. (a) Except as otherwise provided in subsections (b) and (c), the
30 provisions of the Kansas general corporation code shall apply to nonstock
31 corporations in the manner specified in this subsection:

32 (1) All references to stockholders of the corporation shall be deemed
33 to refer to members of the corporation;

34 (2) all references to the board of directors of the corporation shall be
35 deemed to refer to the governing body of the corporation;

36 (3) all references to directors or to members of the board of directors
37 of the corporation shall be deemed to refer to members of the governing
38 body of the corporation; and

39 (4) all references to stock, capital stock, or shares thereof of a
40 corporation authorized to issue capital stock shall be deemed to refer to
41 memberships of a nonprofit nonstock corporation and to membership
42 interests of any other nonstock corporation.

43 (b) Subsection (a) shall not apply to:

1 (1) K.S.A. 17-6002(a)(4), (b)(1) and (b)(2), 17-6009(a), 17-6301, 17-
2 6404, 17-6505, 17-6518, 17-6520(b), 17-6601, 17-6602, 17-6703, 17-
3 6705, 17-6706, 17-6707, 17-6708, 17-6801, 17-6805, 17-6805a, 17-7001,
4 17-7002, 17-7503~~(a)(4) and (b)(4)(c)(4) and (d)(4)~~, 17-7504, 17-7505~~(a)~~
5 ~~(4) and (b)(4)(c)(4) and (d)(4)~~ and 17-7514(c), and amendments thereto,
6 and K.S.A. 2020 Supp. 17-6014, and amendments thereto, that apply to
7 nonstock corporations by their terms;

8 (2) K.S.A. 17-6002(e), the last sentence of 17-6009(b), 17-6401, 17-
9 6402, 17-6403, 17-6405, 17-6406, 17-6407(d), 17-6408, 17-6411, 17-
10 6412, 17-6413, 17-6414, 17-6415, 17-6416, 17-6417, 17-6418, 17-6501,
11 17-6502, 17-6503, 17-6504, 17-6506, 17-6509, 17-6512, 17-6521, 17-
12 6603, 17-6604, 17-6701, 17-6702, 17-6803 and 17-6804, and amendments
13 thereto, and K.S.A. 2020 Supp. 17-6427, 17-6428, 17-6429 and 17-72a04,
14 and amendments thereto; and

15 (3) article 72 and article 73 of chapter 17 of the Kansas Statutes
16 Annotated, and amendments thereto.

17 (c) In the case of a nonprofit nonstock corporation, subsection (a)
18 shall not apply to:

19 (1) The sections and articles listed in subsection (b);

20 (2) K.S.A. 17-6002(b)(3), 17-6304(a)(2), 17-6507, 17-6508, 17-6712,
21 17-7503, 17-7505, 17-7509 and 17-7511, and amendments thereto, and
22 K.S.A. 2020 Supp. 17-6011(a)(2) and (a)(3), and amendments thereto; and

23 (3) article 64 of chapter 17 of the Kansas Statutes Annotated, and
24 amendments thereto, and K.S.A. 2020 Supp. 17-72a01 through 17-72a09,
25 and amendments thereto.

26 (d) For purposes of the Kansas general corporation code:

27 (1) A "charitable nonstock corporation" is any nonprofit nonstock
28 corporation that is exempt from taxation under § 501(c)(3) of the federal
29 internal revenue code of 1986, 26 U.S.C. § 501(c)(3);

30 (2) a "membership interest" is, unless otherwise provided in a
31 nonstock corporation's articles of incorporation, a member's share of the
32 profits and losses of a nonstock corporation, or a member's right to receive
33 distributions of the nonstock corporation's assets, or both;

34 (3) a "nonprofit nonstock corporation" is a nonstock corporation that
35 does not have membership interests; and

36 (4) a "nonstock corporation" is any corporation organized under the
37 Kansas general corporation code that is not authorized to issue capital
38 stock.

39 Sec. 12. On and after January 1, 2023, K.S.A. 2020 Supp. 17-7002 is
40 hereby amended to read as follows: 17-7002. (a) As used in this section,
41 the term:

42 (1) "Articles of incorporation" includes the articles of incorporation
43 of a corporation organized under any special act or any law of this state;

1 and

2 (2) "authority to engage in business" includes the registration of any
3 foreign corporation under K.S.A. 2020 Supp. 17-7931, and amendments
4 thereto.

5 (b) Any corporation may, at any time before the expiration of the time
6 limited for its existence and any corporation whose articles of
7 incorporation or authority to engage in business has become forfeited or
8 void pursuant to this code and any corporation whose articles of
9 incorporation or authority to engage in business has expired by reason of
10 failure to renew it or whose articles of incorporation or authority to engage
11 in business has been renewed, but, through failure to comply strictly with
12 the provisions of this code, the validity of whose renewal has been brought
13 into question, at any time procure an extension, renewal or reinstatement
14 of its articles of incorporation, if a domestic corporation, or its authority to
15 engage in business, if a foreign corporation, together with all the rights,
16 franchises, privileges and immunities and subject to all of its duties, debts
17 and liabilities—~~which~~ *that* had been secured or imposed by its original
18 articles of incorporation, and all amendments thereto, or by its authority to
19 engage in business, as the case may be, by complying with the
20 requirements of this section.

21 (c) The extension, renewal or reinstatement of the articles of
22 incorporation or authority to engage in business may be procured by
23 executing and filing a certificate in accordance with K.S.A. 2020 Supp.
24 17-7908 through 17-7910, and amendments thereto.

25 (d) The certificate required by subsection (c) shall state:

26 (1) The name of the corporation, which shall be the existing name of
27 the corporation or the name it bore when its articles of incorporation or
28 authority to engage in business expired, except as provided in subsection
29 ~~(f) and the date of filing of its original articles of incorporation with the~~
30 ~~secretary of state;~~

31 (2) the address of the corporation's registered office in this state,
32 which shall be stated in accordance with K.S.A. 2020 Supp. 17-7924(c),
33 and amendments thereto, and the name of its resident agent at such
34 address;

35 (3) whether or not the renewal, or reinstatement is to be perpetual
36 and, if not perpetual, the time for which the renewal or reinstatement is to
37 continue and, in case of renewal before the expiration of the time limited
38 for its existence, the date when the renewal is to commence, which shall be
39 prior to the date of the expiration of the old articles of incorporation or
40 authority to engage in business which it is desired to renew;

41 (4) that the corporation desiring to be renewed or reinstated and so
42 renewing or reinstating its corporate existence was duly organized under
43 the laws of the state of its original incorporation;

1 (5) the date when the articles of incorporation or the authority to
2 engage in business would expire, if such is the case, or such other facts as
3 may show that the articles of incorporation or the authority to engage in
4 business has become forfeited or void pursuant to this code, or that the
5 validity of any renewal has been brought into question; and

6 (6) that the certificate for reinstatement is filed by authority of those
7 who were directors or members of the governing body of the corporation
8 at the time its articles of incorporation or the authority to engage in
9 business expired, or who were elected directors or members of the
10 governing body of the corporation as provided in subsection (h).

11 (e) Upon the filing of the certificate in accordance with K.S.A. 2020
12 Supp. 17-7908 through 17-7910, and amendments thereto, the corporation
13 shall be renewed or reinstated with the same force and effect as if its
14 articles of incorporation or authority to engage in business had not been
15 forfeited or void pursuant to this code or had not expired by limitation.
16 Such reinstatement shall validate all contracts, acts, matters and things
17 made, done and performed within the scope of its articles of incorporation
18 or authority to engage in business by the corporation, its officers and
19 agents during the time when its articles of incorporation or authority to
20 engage in business was forfeited or void pursuant to this code, or after
21 their expiration by limitation, with the same force and effect and to all
22 intents and purposes as if the articles of incorporation had at all times
23 remained in full force and effect. All real and personal property, rights and
24 credits, which belonged to the corporation at the time its articles of
25 incorporation or authority to engage in business became forfeited or void
26 pursuant to this code, or expired by limitation and which were not
27 disposed of prior to the time of its renewal or reinstatement shall be vested
28 in the corporation after its renewal or reinstatement, as fully and amply as
29 they were held by the corporation at and before the time its articles of
30 incorporation or authority to engage in business became forfeited or void
31 pursuant to this code, or expired by limitation, and the corporation after its
32 renewal or reinstatement shall be as exclusively liable for all contracts,
33 acts, matters and things made, done or performed in its name and on its
34 behalf by its officers and agents prior to its reinstatement, as if its articles
35 of incorporation or authority to engage in business had at all times
36 remained in full force and effect.

37 (f) If, since the articles of incorporation became forfeited or void
38 pursuant to this code, or expired by limitation, any other corporation
39 organized under the laws of this state shall have adopted the same name as
40 the corporation sought to be renewed or reinstated or shall have adopted a
41 name so nearly similar thereto as not to distinguish it from the corporation
42 to be renewed or reinstated, or any foreign corporation registered in
43 accordance with K.S.A. 2020 Supp. 17-7931, and amendments thereto,

1 shall have adopted the same name as the corporation sought to be renewed
2 or reinstated, or shall have adopted a name so nearly similar thereto as not
3 to distinguish it from the corporation to be renewed or reinstated, then in
4 such case the corporation to be renewed or reinstated shall not be renewed
5 under the same name which it bore when its articles of incorporation
6 became forfeited or void pursuant to this code or expired, but shall adopt
7 or be renewed under some other name; and in such case the certificate to
8 be filed under the provisions of this section shall set forth the name borne
9 by the corporation at the time its articles of incorporation became forfeited
10 or void pursuant to this code, or expired and the new name under which
11 the corporation is to be renewed or reinstated.

12 (g) Any corporation that renews or reinstates its articles of
13 incorporation or authority to engage in business under this code shall file
14 ~~all annual business entity information reports for up to the five most recent~~
15 *reporting periods* and pay to the secretary of state an amount equal to all
16 fees and any penalties thereon due. Nonprofit corporations shall file only
17 ~~the annual business entity information reports for the three most recent~~
18 ~~reporting periods period, but shall~~ *and pay to the secretary of state an*
19 *amount equal to all fees due.*

20 (h) If a sufficient number of the last acting officers of any corporation
21 desiring to renew or reinstate its articles of incorporation are not available
22 by reason of death, unknown address or refusal or neglect to act, the
23 directors of the corporation or those remaining on the board, even if only
24 one, may elect successors to such officers. In any case where there shall be
25 no directors of the corporation available for the purposes aforesaid, the
26 stockholders may elect a full board of directors, as provided by the bylaws
27 of the corporation, and the board shall then elect such officers as are
28 provided by law, by the articles of incorporation or by the bylaws to carry
29 on the business and affairs of the corporation. A special meeting of the
30 stockholders for the purposes of electing directors may be called by any
31 officer, director or stockholder upon notice given in accordance with
32 K.S.A. 17-6512, and amendments thereto.

33 (i) After a reinstatement of the articles of incorporation of the
34 corporation shall have been effected, the provisions of K.S.A. 17-6501(c),
35 and amendments thereto, shall govern and the period of time the articles of
36 incorporation of the corporation was forfeited pursuant to this code, or
37 after its expiration by limitation, shall be included within the calculation of
38 the 30-day and 13-month periods to which K.S.A. 17-6501(c), and
39 amendments thereto, refers. A special meeting of stockholders held in
40 accordance with subsection (h) shall be deemed an annual meeting of the
41 stockholders for purposes of K.S.A. 17-6501(c), and amendments thereto.

42 (j) Whenever it shall be desired to renew or reinstate the articles of
43 incorporation or authority to engage in business of any nonstock

1 corporation, the governing body shall perform all the acts necessary for the
2 renewal or reinstatement of the articles of incorporation of the corporation
3 or its authority to engage in business which are performed by the board of
4 directors in the case of a corporation having capital stock, and the
5 members of any nonstock corporation who are entitled to vote for the
6 election of members of its governing body and any other members entitled
7 to vote for dissolution under the articles of incorporation or bylaws of such
8 corporation, shall perform all the acts necessary for the renewal or
9 reinstatement of the articles of incorporation of the corporation or its
10 authority to engage in business which are performed by the stockholders in
11 the case of a corporation having capital stock. In all other respects, the
12 procedure for the renewal or reinstatement of the articles of incorporation
13 or authority to engage in business of a nonstock corporation shall conform,
14 as nearly as may be applicable, to the procedure prescribed in this section
15 for the renewal or revival of the articles of incorporation of a corporation
16 having capital stock, except that subsection (i) shall not apply to nonstock
17 corporations.

18 Sec. 13. On and after January 1, 2023, K.S.A. 2020 Supp. 17-7503 is
19 hereby amended to read as follows: 17-7503. (a) Every domestic
20 corporation organized for profit shall make ~~an annual~~ *a written business*
21 *entity information report in writing* to the secretary of state, stating the
22 prescribed information concerning the corporation at the close of business
23 on the last day of its tax period next preceding the date of filing, but if a
24 corporation's tax period is other than the calendar year, it shall give notice
25 thereof to the secretary of state prior to December 31 of the year it
26 commences such tax period.

27 (b) ~~The reports~~ *report* shall be made on forms prescribed by the
28 secretary of state. ~~The report~~ *and shall be filed biennially, as determined*
29 *by the year that the domestic corporation filed its formation documents. A*
30 *domestic corporation that filed formation documents in an even-numbered*
31 *year shall file a report in each even-numbered year. A domestic*
32 *corporation that filed formation documents in an odd-numbered year shall*
33 *file a report in each odd-numbered year. The report shall be filed after the*
34 *close of the corporation's tax period but not later than at the time*
35 *prescribed by law for filing the corporation's annual Kansas income tax*
36 *return.*

37 (c) The report shall contain the following information:

- 38 (1) The name of the corporation;
39 (2) the location of the principal office;
40 (3) the names and addresses of the president, secretary, treasurer or
41 equivalent of such officers and members of the board of directors;
42 (4) the number of shares of capital stock issued;
43 (5) the nature and kind of business in which the corporation is

1 engaged; and

2 (6) if the corporation is a parent corporation holding more than 50%
3 equity ownership in any other business entity registered with the secretary
4 of state, the name and identification number of any such subsidiary
5 business entity.

6 ~~(b)~~(d) Every corporation subject to the provisions of this section
7 ~~which~~ *that* holds agricultural land, as defined in K.S.A. 17-5903, and
8 amendments thereto, within this state shall show the following additional
9 information on the report:

10 (1) The acreage and location listed by section, range, township and
11 county of each lot, tract or parcel of agricultural land in this state owned or
12 leased by or to the corporation;

13 (2) the purposes for which such agricultural land is owned or leased
14 and, if leased, to whom such agricultural land is leased;

15 (3) the value of the nonagricultural assets and the agricultural assets,
16 stated separately, owned and controlled by the corporation both within and
17 without the state of Kansas and where situated;

18 (4) the total number of stockholders of the corporation;

19 (5) the number of acres owned or operated by the corporation, the
20 number of acres leased by the corporation and the number of acres leased
21 to the corporation;

22 (6) the number of acres of agricultural land, held and reported in each
23 category under paragraph (5), stated separately, being irrigated; and

24 (7) whether any of the agricultural land held and reported under this
25 subsection was acquired after July 1, 1981.

26 ~~(e)~~(e) The report shall be executed in accordance with the provisions
27 of K.S.A. 2020 Supp. 17-7908 through 17-7910, and amendments thereto.
28 *The official title or position of the individual signing the report shall be*
29 *designated.* The fact that an individual's name is signed on such report
30 shall be prima facie evidence that such individual is authorized to sign the
31 report on behalf of the corporation; ~~however, the official title or position of~~
32 ~~the individual signing the report shall be designated.~~ This report shall be
33 subscribed by the person as true, under penalty of perjury.

34 (f) At the time of filing ~~such annual~~ *its business entity information*
35 report it shall be the duty of each domestic corporation organized for profit
36 to pay to the secretary of state ~~an annual report~~ a fee in an amount equal to
37 ~~\$40~~ \$80, *plus the amount specified in rules and regulations of the*
38 *secretary multiplied by the number of tax periods included in the report.*

39 Sec. 14. On and after January 1, 2023, K.S.A. 2020 Supp. 17-7504 is
40 hereby amended to read as follows: 17-7504. (a) Every corporation
41 organized not for profit shall make ~~an annual~~ *a written business entity*
42 *information* report ~~in writing~~ to the secretary of state, stating the
43 prescribed information concerning the corporation at the close of business

1 on the last day of its tax period next preceding the date of filing, but if a
2 corporation's tax period is other than the calendar year, it shall give notice
3 thereof to the secretary of state prior to December 31 of the year it
4 commences such tax period.

5 ~~(b) The reports~~ report shall be made on forms prescribed by the
6 secretary of state. ~~The report~~ and shall be filed *biennially, as determined*
7 *by the year that the corporation organized not for profit filed its formation*
8 *documents. A corporation organized not for profit that filed formation*
9 *documents in an even-numbered year shall file a report in each even-*
10 *numbered year. A corporation organized not for profit that filed formation*
11 *documents in an odd-numbered year shall file a report in each odd-*
12 *numbered year. The report shall be filed after the close of the*
13 *corporation's tax period but not later than on the 15th day of the sixth*
14 *month following the close of the taxable year.*

15 (c) The report shall contain the following information:

- 16 (1) The name of the corporation;
- 17 (2) the location of the principal office;
- 18 (3) the names and addresses of the president, secretary and treasurer
19 or equivalent of such officers, and the members of the governing body;
- 20 (4) the number of memberships or the number of shares of capital
21 stock issued; and
- 22 (5) if the corporation is a parent corporation holding more than 50%
23 equity ownership in any other business entity registered with the secretary
24 of state, the name and identification number of any such subsidiary
25 business entity.

26 ~~(b)(d)~~ Every corporation subject to the provisions of this section
27 ~~which~~ that holds agricultural land, as defined in K.S.A. 17-5903, and
28 amendments thereto, within this state shall show the following additional
29 information on the report:

- 30 (1) The acreage and location listed by section, range, township and
31 county of each lot, tract or parcel of agricultural land in this state owned or
32 leased by or to the corporation;
- 33 (2) the purposes for which such agricultural land is owned or leased
34 and, if leased, to whom such agricultural land is leased;
- 35 (3) the value of the nonagricultural assets and the agricultural assets,
36 stated separately, owned and controlled by the corporation both within and
37 without the state of Kansas and where situated;
- 38 (4) the total number of stockholders or members of the corporation;
- 39 (5) the number of acres owned or operated by the corporation, the
40 number of acres leased by the corporation and the number of acres leased
41 to the corporation;
- 42 (6) the number of acres of agricultural land, held and reported in each
43 category under paragraph (5), stated separately, being irrigated; and

1 (7) whether any of the agricultural land held and reported under this
2 subsection was acquired after July 1, 1981.

3 ~~(e)~~(e) The report shall be executed in accordance with the provisions
4 of K.S.A. 2020 Supp. 17-7908 through 17-7910, and amendments thereto.
5 *The official title or position of the individual signing the report shall be*
6 *designated.* The fact that an individual's name is signed on such report
7 shall be prima facie evidence that such individual is authorized to sign the
8 report on behalf of the corporation; ~~however, the official title or position of~~
9 ~~the individual signing the report shall be designated.~~ This report shall be
10 subscribed by the person as true, under penalty of perjury.

11 ~~(d)~~(f) At the time of filing ~~such its business entity information~~ report,
12 each nonprofit corporation shall pay ~~an annual report~~ a fee in an amount
13 equal to ~~\$40~~ \$80, *plus the amount specified in rules and regulations of the*
14 *secretary for all tax years commencing after December 31, 2003*
15 *multiplied by the number of tax periods included in the report.*

16 Sec. 15. On and after January 1, 2023, K.S.A. 2020 Supp. 17-7505 is
17 hereby amended to read as follows: 17-7505. (a) Every foreign corporation
18 organized for profit, or organized under the cooperative type statutes of the
19 state, territory or foreign country of incorporation, now or hereafter doing
20 business in this state, and owning or using a part or all of its capital in this
21 state, and subject to compliance with the laws relating to the admission of
22 foreign corporations to do business in Kansas, shall make ~~an annual~~ a
23 *written business entity information report in writing* to the secretary of
24 state, stating the prescribed information concerning the corporation at the
25 close of business on the last day of its tax period next preceding the date of
26 filing, but if a corporation operates on a fiscal year other than the calendar
27 year it shall give written notice thereof to the secretary of state prior to
28 December 31 of the year commencing such fiscal year.

29 (b) The report shall be made on a form prescribed by the secretary of
30 state. ~~The report~~ and shall be filed *biennially, as determined by the year*
31 *that the foreign corporation filed its foreign corporation application in*
32 *Kansas. A foreign corporation that filed an application in an even-*
33 *numbered year shall file a report in each even-numbered year. A foreign*
34 *corporation that filed an application in an odd-numbered year shall file a*
35 *report in each odd-numbered year. The report shall be filed after the close*
36 *of the corporation's tax period but not later than* at the time prescribed by
37 law for filing the corporation's annual Kansas income tax return.

38 (c) The report shall contain the following ~~facts~~ information:

39 (1) The name of the corporation and under the laws of what state or
40 country it is incorporated;

41 (2) the location of its principal office;

42 (3) the names and addresses of the president, secretary, treasurer, or
43 equivalent of such officers, and members of the board of directors;

1 (4) the number of shares of capital stock issued;
2 (5) the nature and kind of business in which the company is engaged;
3 and

4 (6) if the corporation is a parent corporation holding more than 50%
5 equity ownership in any other business entity registered with the secretary
6 of state, the name and identification number of any such subsidiary
7 business entity.

8 ~~(b)~~(d) Every corporation subject to the provisions of this section
9 ~~which~~ *that* holds agricultural land, as defined in K.S.A. 17-5903, and
10 amendments thereto, within this state shall show the following additional
11 information on the report:

12 (1) The acreage and location listed by section, range, township and
13 county of each lot, tract or parcel of agricultural land in this state owned or
14 leased by or to the corporation;

15 (2) the purposes for which such agricultural land is owned or leased
16 and, if leased, to whom such agricultural land is leased;

17 (3) the value of the nonagricultural assets and the agricultural assets,
18 stated separately, owned and controlled by the corporation both within and
19 without the state of Kansas and where situated;

20 (4) the total number of stockholders of the corporation;

21 (5) the number of acres owned or operated by the corporation, the
22 number of acres leased by the corporation and the number of acres leased
23 to the corporation;

24 (6) the number of acres of agricultural land, held and reported in each
25 category under paragraph (5), stated separately, being irrigated; and

26 (7) whether any of the agricultural land held and reported under this
27 subsection was acquired after July 1, 1981.

28 ~~(e)~~(e) The report shall be executed in accordance with the provisions
29 of K.S.A. 2020 Supp. 17-7908 through 17-7910, and amendments thereto.
30 *The official title or position of the individual signing the report shall be*
31 *designated.* The fact that an individual's name is signed on such report
32 shall be prima facie evidence that such individual is authorized to sign the
33 report on behalf of the corporation; ~~however, the official title or position of~~
34 ~~the individual signing the report shall be designated.~~ This report shall be
35 subscribed by the person as true, under penalty of perjury.

36 ~~(d)~~(f) At the time of filing its ~~annual~~ *business entity information*
37 report, each such foreign corporation shall pay to the secretary of state ~~an~~
38 ~~annual report~~ a fee in an amount equal to ~~\$40~~ \$80, *plus the amount*
39 *specified in rules and regulations of the secretary multiplied by the*
40 *number of tax periods included in the report.*

41 Sec. 16. On and after January 1, 2023, K.S.A. 2020 Supp. 17-7506 is
42 hereby amended to read as follows: 17-7506. (a) The secretary of state
43 shall charge each corporation a fee established pursuant to rules and

1 regulations, but not exceeding \$250, for issuing or filing and indexing
2 articles of incorporation of a for-profit or a foreign corporation application.

3 (b) The secretary of state shall charge each corporation a fee
4 established by rules and regulations, but not exceeding \$50, for articles of
5 incorporation of a nonprofit corporation.

6 (c) The secretary of state shall charge each corporation a fee
7 established by rules and regulations, but not exceeding \$150, for issuing or
8 filing and indexing any of the corporate documents described below:

9 (1) Certificate of extension, restoration, renewal or revival of articles
10 of incorporation;

11 (2) certificate of amendment of articles of incorporation, either prior
12 to or after payment of capital;

13 (3) certificate of designation of preferences;

14 (4) certificate of retirement of preferred stock;

15 (5) certificate of increase or reduction of capital;

16 (6) certificate of dissolution, either prior to or after beginning
17 business;

18 (7) certificate of revocation of voluntary dissolution;

19 (8) certificate of change of location of registered office and resident
20 agent;

21 (9) agreement of merger or consolidation;

22 (10) certificate of ownership and merger;

23 (11) certificate of extension, restoration, renewal or revival of a
24 certificate of authority of foreign corporation to do business in Kansas;

25 (12) change of resident agent or amendment by foreign corporation;

26 (13) certificate of withdrawal of foreign corporation;

27 (14) certificate of correction of any of the instruments designated in
28 this section;

29 (15) reservation of corporate name;

30 (16) restated articles of incorporation;

31 (17) ~~annual report~~—*extension of a business entity information report*;
32 and

33 (18) certificate of validation.

34 (d) The secretary of state shall charge each corporation a fee
35 established pursuant to rules and regulations but not exceeding \$50 for
36 issuing certified copies, photocopies, certificates of good standing and
37 certificates of fact; and any other certificate or filing for which a filing or
38 indexing fee is not prescribed by law.

39 (e) The secretary of state shall not charge fees for providing the
40 following information: Name of the corporation; address of its registered
41 office and the name of its resident agent; the amount of its authorized
42 capital stock; the state of its incorporation; date of filing of articles of
43 incorporation, foreign corporation application or ~~annual business entity~~

1 *information* report; and date of expiration.

2 (f) The secretary of state shall prescribe by rules and regulations any
3 fees required by this act.

4 Sec. 17. On and after January 1, 2023, K.S.A. 17-7509 is hereby
5 amended to read as follows: 17-7509. (a) In case any corporation
6 organized for profit ~~which~~ *that* is required to file ~~an annual~~ *a business*
7 *entity information* report and pay the ~~annual report~~ *required* fee prescribed
8 by this act shall fail or neglect to make such report at the time prescribed,
9 such corporation shall be subject to a penalty of \$75. Such penalty and the
10 ~~annual fee or~~ fees required to be paid by this act may be recovered by an
11 action in the name of the state, and all moneys recovered shall be remitted
12 to the state treasurer in accordance with the provisions of K.S.A. 75-4215,
13 and amendments thereto. Upon receipt of each such remittance, the state
14 treasurer shall deposit the entire amount in the state treasury to the credit
15 of the state general fund.

16 (b) The penalties provided for in subsection (a) also may be assessed
17 against any corporation for the reason that such corporation has been
18 canceled or its existence forfeited pursuant to the Kansas general
19 corporation code. No penalty shall be charged pursuant to this subsection,
20 if a corporation is assessed penalties pursuant to grounds specified in
21 subsection (a).

22 Sec. 18. On and after January 1, 2023, K.S.A. 2020 Supp. 17-7510 is
23 hereby amended to read as follows: 17-7510. (a) In addition to any other
24 penalties, the failure of any domestic corporation to file the ~~annual~~
25 *business entity information* report in accordance with the provisions of this
26 act or to pay the ~~annual report~~ fee provided for within 90 days of the time
27 for filing and paying the same or, in the case of ~~an annual~~ *a* report filing
28 and fee received by mail, postmarked within 90 days of the time for filing
29 and paying the same, shall work the forfeiture of the articles of
30 incorporation of such domestic corporation. Within 60 days after the date
31 such ~~annual~~ *business entity information* report and fee are due, the
32 secretary of state, by mail, shall notify any corporation that has failed to
33 submit such report and fee when due that its articles of incorporation shall
34 be forfeited unless the ~~annual~~ *business entity information* report is filed
35 and the fee is paid within 90 days from the date such report and fee were
36 due. Any corporation that fails to submit such report and fee within such
37 time shall forfeit its articles of incorporation, and the secretary of state
38 shall notify the attorney general that the articles of incorporation of such
39 corporation have been forfeited.

40 (b) In addition to any other penalties, the failure of any foreign
41 corporation to file the ~~annual~~ *business entity information* report or pay the
42 ~~annual report~~ fee prescribed by this act within 90 days from the time
43 provided for filing and paying the same or, in the case of ~~an annual~~ *a*

1 report filing and fee received by mail, postmarked within 90 days of the
2 time for filing and paying the same, shall work a forfeiture of its right or
3 authority to do business in this state. Within 60 days after the date such
4 ~~annual~~ *business entity information* report and fee are due, the secretary of
5 state, by mail, shall notify any corporation that has failed to submit such
6 report and fee when due that its authority to do business in this state shall
7 be forfeited unless the ~~annual~~ *business entity information* report and fee is
8 paid within 90 days from the date such report and fee were due. Any
9 corporation that fails to submit such report and fees within such time shall
10 forfeit its authority to do business in this state, and the secretary of state
11 shall publish a notice of such forfeiture in the Kansas register.

12 (c) This section shall not be construed to restrict the state from
13 invoking any other remedies provided by law.

14 (d) The secretary of state shall not issue certificates of good standing
15 for any corporation that has failed to file its ~~annual~~ *business entity*
16 *information* report or pay its ~~annual~~ report the required fee.

17 Sec. 19. On and after January 1, 2023, K.S.A. 17-7511 is hereby
18 amended to read as follows: 17-7511. Pursuant to the authority granted by
19 ~~subsection (e) of K.S.A. 79-3234(c)~~, the secretary of state, as a legal
20 representative of the state, may inspect the annual Kansas income tax
21 ~~return~~ *returns* of any corporation for the purpose of verifying any
22 information contained in the ~~annual~~ *business entity information* report filed
23 by such corporation with the secretary of state pursuant to this act. The
24 secretary of state shall not disclose any information obtained from any
25 such ~~return~~ *returns*, except as may be necessary to commence an
26 appropriate administrative or judicial proceeding against the corporation
27 filing the same, and shall disclose to the secretary of revenue any
28 information and allow the secretary to inspect as necessary the ~~annual~~
29 *business entity information* report for purposes of verifying any
30 information contained on the franchise tax ~~return~~ *returns* as provided in
31 K.S.A. 79-5401, and amendments thereto.

32 Sec. 20. On and after January 1, 2023, K.S.A. 2020 Supp. 17-7512 is
33 hereby amended to read as follows: 17-7512. The provisions of this act
34 relating to the filing of ~~annual~~ *business entity information* reports and the
35 payment of ~~annual~~ report fees shall not apply to banking, insurance or
36 savings and loan corporations, credit unions, any firemen's relief
37 association under the jurisdiction and supervision of the insurance
38 commissioner or to Kansas venture capital, inc. or venture capital
39 companies certified by the secretary of commerce pursuant to article 83 of
40 chapter 74 of the Kansas Statutes Annotated, and amendments thereto.

41 Sec. 21. On and after January 1, 2023, K.S.A. 2020 Supp. 17-76,136
42 is hereby amended to read as follows: 17-76,136. (a) The secretary of state
43 shall charge each domestic and foreign limited liability company the

1 following fees:

2 (1) A fee of \$20 for issuing or filing and indexing any of the
3 following documents:

4 (A) A certificate of amendment of articles of organization;

5 (B) restated articles of organization;

6 (C) a certificate of cancellation, which fee shall be multiplied by the
7 number of series of the limited liability company named in the certificate
8 of cancellation;

9 (D) a certificate of change of location of registered office or resident
10 agent;

11 (E) a certificate of merger or consolidation;

12 (F) a certificate of division; and

13 (G) any certificate, affidavit, agreement or any other paper provided
14 for in the Kansas revised limited liability company act, for which no
15 different fee is specifically prescribed;

16 (2) a fee of \$7.50 for each certified copy plus a fee per page, if the
17 secretary of state supplies the copies, in an amount fixed by the secretary
18 of state and approved by the director of accounts and reports for copies of
19 corporate documents under K.S.A. 45-204, and amendments thereto;

20 (3) a fee of \$7.50 for each certificate of good standing, including a
21 certificate of good standing for a series of a limited liability company, and
22 certificate of fact issued by the secretary of state;

23 (4) a fee of \$5 for a report of record search, but furnishing the
24 following information shall not be considered a record search and no
25 charge shall be made therefor: Name of the limited liability company and
26 the address of its registered office; name and address of the resident agent;
27 the state of the limited liability company's formation; the date of filing of
28 its articles of organization or ~~annual report~~ *business entity information*
29 *report*; and date of expiration; and

30 (5) for photocopies of instruments on file or prepared by the secretary
31 of state's office and which are not certified, a fee per page in an amount
32 fixed by the secretary of state and approved by the director of accounts and
33 reports for copies of corporate documents under K.S.A. 45-204, and
34 amendments thereto.

35 (b) Every limited liability company hereafter formed in this state shall
36 pay to the secretary of state, at the time of filing its articles of organization,
37 an application and recording fee of \$150.

38 (c) At the time of filing its application to do business, every foreign
39 limited liability company shall pay to the secretary of state an application
40 and recording fee of \$150.

41 (d) The fee for filing a certificate of reinstatement shall be the same
42 as that prescribed by K.S.A. 17-7506, and amendments thereto, for filing a
43 certificate of reinstatement of a corporation's articles of incorporation.

1 Sec. 22. On and after January 1, 2023, K.S.A. 2020 Supp. 17-76,139
2 is hereby amended to read as follows: 17-76,139. (a) Every limited
3 liability company organized and on and after July 1, 2020, each series
4 thereof formed or in existence under the laws of this state shall make ~~an~~
5 ~~annual~~ *a written business entity information report* ~~in writing~~ to the
6 secretary of state, stating the prescribed information concerning the limited
7 liability company or series, as applicable, at the close of business on the
8 last day of its tax period next preceding the date of filing. If the limited
9 liability company's or series' tax period is other than the calendar year, it
10 shall give notice of its different tax period in writing to the secretary of
11 state prior to December 31 of the year it commences the different tax
12 period.

13 (b) ~~The annual~~ report shall be filed *biennially, as determined by the*
14 *year that the limited liability company or series filed its formation*
15 *documents. A limited liability company or series that filed formation*
16 *documents in an even-numbered year shall file a report in each even-*
17 *numbered year. A limited liability company or series that filed formation*
18 *documents in an odd-numbered year shall file a report in each odd-*
19 *numbered year. It is permissible to file at one time the biennial report*
20 **information for more than one limited liability company or series,**
21 **regardless of whether the formation documents were filed in an even-**
22 **numbered or odd-numbered year, provided that all the reports shall**
23 **be filed in the first year a biennial report is due under this law and in**
24 **odd-numbered years thereafter.** *The report shall be filed after the close*
25 *of the limited liability company's tax period or series' tax period but not*
26 *later than at the time prescribed by law for filing the limited liability*
27 *company's or series' annual Kansas income tax return, or if applicable law*
28 *does not prescribe a time for filing an annual Kansas income tax return for*
29 *a series, the ~~annual~~ report for the series shall be filed at, and for purposes*
30 *of this section its tax period shall be deemed to be, the time prescribed by*
31 *law for filing the annual Kansas income tax return for the limited liability*
32 *company to which the series is associated.*

33 (c) ~~The annual~~ report shall be made on a form prescribed by the
34 secretary of state. ~~The report~~ *and shall contain the following information*
35 **for each limited liability company or series:**

36 (1) The name of the limited liability company or series, as applicable;
37 and

38 (2) a list of the members owning at least 5% of the capital of the
39 limited liability company or series, as applicable, with the post office
40 address of each.

41 ~~(b)(d)~~ (1) Every foreign limited liability company shall make ~~an~~
42 ~~annual~~ *a written business entity information report* ~~in writing~~ to the
43 secretary of state, stating the prescribed information concerning the limited

1 liability company at the close of business on the last day of its tax period
2 next preceding the date of filing. If the limited liability company's tax
3 period is other than the calendar year, it shall give notice in writing of its
4 different tax period to the secretary of state prior to December 31 of the
5 year it commences the different tax period.

6 (2) ~~The annual~~ report shall be filed *biennially, as determined by the*
7 *year that the foreign limited liability company filed its foreign limited*
8 *liability company application. A foreign limited liability company that*
9 *filed its application in an even-numbered year shall file a report in each*
10 *even-numbered year. A foreign limited liability company that filed its*
11 *application in an odd-numbered year shall file a report in each odd-*
12 *numbered year. The report shall be filed after the close of the foreign*
13 *limited liability company's tax period but not later than at the time*
14 *prescribed by law for filing the limited liability company's annual Kansas*
15 *income tax return.*

16 (3) ~~The annual~~ report shall be made on a form prescribed by the
17 secretary of state. ~~The report~~ and shall contain the name of the limited
18 liability company.

19 ~~(e)~~(e) ~~The annual~~ *business entity information* report required by this
20 section shall be executed by one or more authorized persons, and filed
21 with the secretary of state. The execution of such ~~annual~~ report by a person
22 who is authorized by the Kansas revised limited liability company act to
23 execute such ~~annual~~ report, upon filing such ~~annual~~ report with the
24 secretary of state, constitutes an oath or affirmation, under penalties of
25 perjury that, to the best of such person's knowledge and belief, the facts
26 stated therein are true.

27 (f) At the time of filing the *business entity information* report, ~~the~~
28 **each** limited liability company or series shall pay to the secretary of state
29 ~~an annual report~~ a fee in an amount equal to ~~\$40~~ \$80, *plus the amount*
30 *specified in rules and regulations of the secretary multiplied by the*
31 *number of tax periods included in the report.*

32 ~~(d)~~(g) The provisions of K.S.A. 17-7509, and amendments thereto,
33 relating to penalties for failure of a corporation to file ~~an annual~~ *business*
34 *entity information* report or pay the required ~~annual report~~ fee, and the
35 provisions of K.S.A. 17-7510(a), and amendments thereto, relating to
36 penalties for failure of a corporation to file ~~an annual~~ *business entity*
37 *information* report or pay the required ~~annual report~~ fee, shall be
38 applicable to the articles of organization of any domestic limited liability
39 company, the certificate of designation of any series thereof, or to the
40 authority of any foreign limited liability company which fails to file its
41 ~~annual~~ *business entity information* report or pay the ~~annual report~~ fee
42 within 90 days of the time prescribed in this section for filing and paying
43 the same or, in the case of ~~an annual~~ a report filing and fee received by

1 mail, postmarked within 90 days of the time for filing and paying the
2 same. Whenever the articles of organization of a domestic limited liability
3 company, the certificate of designation of a series thereof, or the authority
4 of any foreign limited liability company are forfeited or canceled for
5 failure to file ~~an annual~~ *business entity information* report or to pay the
6 required ~~annual report~~ fee, the domestic limited liability company or the
7 authority of a foreign limited liability company may be reinstated by filing
8 a certificate of reinstatement, pursuant to K.S.A. 2020 Supp. 17-76,146,
9 and amendments thereto, and the certificate of designation may be
10 reinstated by filing a certificate of reinstatement, pursuant to K.S.A. 2020
11 Supp. 17-76,147, and amendments thereto, and in each case, paying to the
12 secretary of state all fees, including any penalties thereon, due to the state.

13 ~~(e) No limited liability company or series shall be required to file its~~
14 ~~first annual report under the Kansas revised limited liability company act,~~
15 ~~or pay any annual report fee required to accompany such report, unless~~
16 ~~such limited liability company has filed its articles of organization or~~
17 ~~application for authority or the certificate of designation of such series has~~
18 ~~been filed at least six months prior to the last day of its tax period.~~

19 ~~(f)~~^(h) All copies of applications for extension of the time for filing
20 income tax returns submitted to the secretary of state pursuant to law shall
21 be maintained by the secretary of state in a confidential file and shall not
22 be disclosed to any person except as authorized pursuant to the provisions
23 of K.S.A. 79-3234, and amendments thereto, a proper judicial order, or
24 subsection (g). All copies of such applications shall be preserved for one
25 year and thereafter until the secretary of state orders that they be
26 destroyed.

27 ~~(g)~~⁽ⁱ⁾ A copy of such application shall be open to inspection by or
28 disclosure to any person who was a member of such limited liability
29 company or series during any part of the period covered by the extension.

30 Sec. 23. On and after January 1, 2023, K.S.A. 2020 Supp. 17-76,147
31 is hereby amended to read as follows: 17-76,147. (a) A series whose
32 certificate of designation has been canceled pursuant to K.S.A. 17-76,139,
33 and amendments thereto, may be reinstated by filing in the office of the
34 secretary of state a certificate of reinstatement accompanied by the
35 payment of the fee required by K.S.A. 17-76,136(d), and amendments
36 thereto, and payment of the ~~annual~~ *business entity information* report fee
37 due under K.S.A. 17-76,139~~(e)~~, and amendments thereto, and all penalties
38 and interest thereon due at the time of the cancellation of its certificate of
39 designation. The certificate of reinstatement shall set forth:

40 (1) The name of the limited liability company at the time the
41 certificate of designation was canceled and, if such name has changed, the
42 name of the limited liability company at the time of reinstatement of the
43 series;

1 (2) the name of the series at the time the certificate of designation
2 was canceled and, if such name is not available at the time of
3 reinstatement, the name under which the series is to be reinstated;

4 (3) a statement that the certificate of reinstatement is filed by one or
5 more persons authorized to execute and file the certificate of reinstatement
6 to reinstate the series; and

7 (4) any other matters the persons executing the certificate of
8 reinstatement determine to include therein.

9 (b) The certificate of reinstatement shall be deemed to be an
10 amendment to the certificate of designation, and no further actions shall be
11 required to amend its certificate of designation under K.S.A. 2020 Supp.
12 17-76,143(d)(3), and amendments thereto, with respect to the matters set
13 forth in the certificate of reinstatement.

14 (c) Upon the filing of a certificate of reinstatement, a series shall be
15 reinstated with the same force and effect as if its certificate of designation
16 had not been canceled pursuant to K.S.A. 17-76,139, and amendments
17 thereto. Such reinstatement shall validate all contracts, acts, matters and
18 things made, done and performed by the series, its members, managers,
19 employees and agents during the time when its certificate of designation
20 was canceled pursuant to K.S.A. 17-76,139, and amendments thereto, with
21 the same force and effect and to all intents and purposes as if the certificate
22 of designation had remained in full force and effect. All real and personal
23 property, and all rights and interests, that belonged to the series at the time
24 its certificate of designation was canceled pursuant to K.S.A. 17-76,139,
25 and amendments thereto, or were acquired by the series following the
26 cancellation of its certificate of designation pursuant to K.S.A. 17-76,139,
27 and amendments thereto, and were not disposed of prior to the time of its
28 reinstatement, shall be vested in the series after its reinstatement as fully as
29 they were held by the series at, and after, as the case may be, the time its
30 certificate of designation was canceled pursuant to K.S.A. 17-76,139, and
31 amendments thereto. After its reinstatement, the series shall be as
32 exclusively liable for all contracts, acts, matters and things made, done or
33 performed in its name and on its behalf by its members, managers,
34 employees and agents prior to its reinstatement as if its certificate of
35 designation had at all times remained in full force and effect.

36 ~~(d) This section shall take effect on and after July 1, 2020.~~

37 Sec. 24. K.S.A. 2020 Supp. 17-78-601 is hereby amended to read as
38 follows: 17-78-601. (a) When any provision of this act requires any
39 instrument to be filed with the secretary of state, such instrument shall be
40 filed in accordance with this section:

41 (1) The document shall contain the information required by this act;

42 (2) the document shall be in a record;

43 (3) the document shall be in the English language, but the name of an

1 entity need not be in English if written in English letters or Arabic or
2 Roman numerals;

3 (4) the document shall be signed:

4 (A) By an officer of a domestic or foreign corporation;

5 (B) by a person authorized by a domestic or foreign entity that is not
6 a corporation; or

7 (C) if the entity is in the hands of a receiver, trustee or other court-
8 appointed fiduciary, by that person;

9 (5) the instrument shall state the name and capacity of the person that
10 signed it;

11 (6) any signature on instruments authorized to be filed with the
12 secretary of state under this act may be a facsimile, *an electronic*
13 *signature*, a conformed signature or an electronically transmitted signature.
14 The execution of any instrument required to be filed with the secretary of
15 state shall constitute an oath or affirmation, under the penalties of perjury,
16 that the facts stated in the instrument are true; and

17 (7) the instrument shall be delivered to the office of the secretary of
18 state for filing. Delivery may be made by electronic transmission if and to
19 the extent permitted by the secretary of state.

20 (b) When a document is delivered to the office of the secretary of
21 state for filing, the correct filing fee and any tax, fee or penalty required to
22 be paid by this act or other law shall be paid. The secretary of state shall
23 establish by rule and regulation the filing fees for instruments filed
24 pursuant to this act.

25 (c) Upon delivery of the instrument and upon tender of the required
26 fees and any taxes:

27 (1) The secretary of state shall certify that the instrument has been
28 filed in the office of secretary of state by endorsing upon the original
29 signed instrument the word "Filed" and the date and hour of its filing. This
30 endorsement is the "filing date" of the instrument and is conclusive of the
31 date and time of its filing in the absence of actual fraud. The secretary of
32 state shall thereupon record the endorsed instrument in an electronic
33 medium; and

34 (2) the secretary of state shall return a certified copy of the recorded
35 instrument.

36 (d) Any instrument filed in accordance with this section shall be
37 effective upon its filing date unless a later effective date, not to exceed 90
38 days from the date of filing, was specified in the instrument.

39 (e) If any instrument authorized to be filed with the secretary of state
40 is filed and is inaccurately, defectively or erroneously executed or
41 otherwise defective in any respect, the secretary of state shall not be liable
42 to any person for the preclearance for filing, the acceptance for filing or
43 the filing and indexing such instrument.

1 (f) Whenever a provision of this act permits any of the terms of an
2 agreement or a filed document to be dependent on facts objectively
3 ascertainable outside the agreement or filed document, the following rules
4 apply:

5 (1) The manner in which the facts will operate upon the terms of the
6 agreement or filed document must be set forth in the agreement or filed
7 document;

8 (2) the facts may include, but are not limited to:

9 (A) Any of the following that is available in a nationally recognized
10 news or information medium either in print or electronically, statistical or
11 market indices, market prices of any security or group of securities,
12 interest rates, currency exchange rates or similar economic or financial
13 data;

14 (B) a determination or action by any person or body, including the
15 entity or any other party to an agreement or filed document; or

16 (C) the terms of, or actions taken under, an agreement to which the
17 entity is a party or any other agreement or document;

18 (3) in this subsection, "filed document" means a document filed with
19 the secretary of state under this act. The following provisions of an
20 agreement or filed document may not be made dependent on facts outside
21 the agreement or filed document:

22 (A) The name and address of any person required in a filed
23 document;

24 (B) the registered office of any entity required in a filed document;

25 (C) the resident agent of any entity required in a filed document;

26 (D) the number of authorized shares and designation of each class or
27 series of shares of a corporation;

28 (E) the effective date of a filed document; and

29 (F) any required statement in a filed document of the manner in
30 which that approval was given;

31 (4) if a provision of a filed document is made dependent on a fact
32 ascertainable outside of the filed document and that fact is not
33 ascertainable by reference to a source described in subsection (c)(2)(A) or
34 a document that is a matter of public record, or if the affected interest
35 holders have not received notice of the fact from the entity, the entity shall
36 file with the secretary of state a certificate of amendment setting forth the
37 fact promptly after the fact referred to is first ascertainable or thereafter
38 changes.

39 Sec. 25. On and after January 1, 2023, K.S.A. 2020 Supp. 17-7903 is
40 hereby amended to read as follows: 17-7903. The following documents
41 related to corporations shall be filed with the secretary of state:

42 (a) For-profit filings:

43 (1) For-profit articles of incorporation as set forth in K.S.A. 17-6002,

- 1 and amendments thereto;
- 2 (2) professional association articles of incorporation as set forth in
- 3 K.S.A. 17-2709, 17-2711 and 17-6002, and amendments thereto;
- 4 (3) close corporation articles of incorporation as set forth in K.S.A.
- 5 17-6426, 17-7201, 17-7202 and 17-7203, and amendments thereto;
- 6 (4) public benefit corporation articles of incorporation as set forth in
- 7 K.S.A. 2020 Supp. 17-72a02, and amendments thereto;
- 8 (5) certificate of validation as set forth in K.S.A. 2020 Supp. 17-
- 9 6428, and amendments thereto;
- 10 (6) foreign for-profit application for authority as set forth in K.S.A.
- 11 2020 Supp. 17-7931 ~~and K.S.A. 17-7307 through 17-7510~~, and
- 12 amendments thereto;
- 13 (7) ~~for-profit annual~~ *business entity information* report as set forth in
- 14 K.S.A. 17-7503 and 17-7505, and amendments thereto;
- 15 (8) ~~professional association annual~~ *business entity information* report
- 16 as set forth in K.S.A. 17-2718, and amendments thereto;
- 17 (9) for-profit certificate of amendment as set forth in K.S.A. 17-6003,
- 18 17-6401, 17-6601, 17-6602 and 17-6603, and amendments thereto;
- 19 (10) amendment to professional associations as set forth in K.S.A.
- 20 17-2709, and amendments thereto;
- 21 (11) foreign for-profit corporation certificate of amendment as set
- 22 forth in K.S.A. 17-7302, and amendments thereto;
- 23 (12) restated articles of incorporation as set forth in K.S.A. 17-6605,
- 24 and amendments thereto;
- 25 (13) change of registered office or resident agent as set forth in
- 26 K.S.A. 2020 Supp. 17-7926, 17-7927, 17-7928 and 17-7929, and
- 27 amendments thereto;
- 28 (14) for-profit certificate of correction as set forth in K.S.A. 2020
- 29 Supp. 17-7912, and amendments thereto;
- 30 (15) mergers as set forth in K.S.A. 17-6701 through 17-6708, and
- 31 amendments thereto;
- 32 (16) foreign mergers as set forth in K.S.A. 17-7302, and amendments
- 33 thereto;
- 34 (17) certificate of amendment or termination of merger as set forth in
- 35 K.S.A. 17-6701, and amendments thereto;
- 36 (18) foreign corporation merger as set forth in K.S.A. 17-7302, and
- 37 amendments thereto;
- 38 (19) certificate of reinstatement as set forth in K.S.A. 17-7002, and
- 39 amendments thereto;
- 40 (20) certificate of dissolution prior to commencing business as set
- 41 forth in K.S.A. 17-6803, and amendments thereto;
- 42 (21) certificate of dissolution by stockholder's meeting as set forth in
- 43 K.S.A. 17-6804, and amendments thereto;

1 (22) certificate of dissolution by written consent as set forth in K.S.A.
2 17-6804, and amendments thereto;

3 (23) foreign certificate of cancellation as set forth in K.S.A. 2020
4 Supp. 17-7936, and amendments thereto; and

5 (24) certificate of revocation of dissolution as set forth in K.S.A. 17-
6 7001, and amendments thereto.

7 (b) Not-for-profit filings:

8 (1) Not-for-profit articles of incorporation as set forth in K.S.A. 17-
9 6002, and amendments thereto;

10 (2) foreign not-for-profit application for authority as set forth in
11 K.S.A. 2020 Supp. 17-7931, and amendments thereto;

12 (3) not-for-profit ~~annual~~ *business entity information* report as set forth
13 in K.S.A. 17-7504, and amendments thereto;

14 (4) not-for-profit certificate of amendment as set forth in K.S.A. 17-
15 6602, and amendments thereto;

16 (5) not-for-profit certificate of correction as set forth in K.S.A. 2020
17 Supp. 17-7912, and amendments thereto;

18 (6) not-for-profit change of registered office or resident agent as set
19 forth in K.S.A. 2020 Supp. 17-7926, 17-7927, 17-7928 and 17-7929, and
20 amendments thereto;

21 (7) not-for-profit certificate of reinstatement as set forth in K.S.A. 17-
22 7002, and amendments thereto; and

23 (8) certificate of dissolution as set forth in K.S.A. 17-6803, 17-6804
24 and 17-6805, and amendments thereto.

25 Sec. 26. On and after January 1, 2023, K.S.A. 2020 Supp. 17-7904 is
26 hereby amended to read as follows: 17-7904. The following documents
27 related to limited liability companies shall be filed with the secretary of
28 state:

29 (a) Articles of organization as set forth in K.S.A. 17-7673 and K.S.A.
30 2020 Supp. 17-7673a, and amendments thereto;

31 (b) professional articles of organization as set forth in K.S.A. 17-7673
32 and K.S.A. 2020 Supp. 17-7673a, and amendments thereto;

33 (c) series limited liability company articles of organization as set
34 forth in K.S.A. 2020 Supp. 17-76,143, and amendments thereto;

35 (d) foreign limited liability company application for authority as set
36 forth in K.S.A. 2020 Supp. 17-7931, and amendments thereto;

37 (e) foreign series limited liability company application for admission
38 to transact business as set forth in K.S.A. 2020 Supp. 17-7931 and K.S.A.
39 2020 Supp. 17-76,143, and amendments thereto;

40 (f) ~~annual~~ *business entity information* report as set forth in K.S.A. 17-
41 76,139, and amendments thereto;

42 (g) certificate of amendment as set forth in K.S.A. 17-7674 and
43 K.S.A. 2020 Supp. 17-7674a and 17-76,143, and amendments thereto;

- 1 (h) restated articles of organization as set forth in K.S.A. 17-7680,
2 and amendments thereto;
- 3 (i) series certificate of designation as set forth in K.S.A. 2020 Supp.
4 17-76,143, and amendments thereto;
- 5 (j) certificate of amendment or termination to certificate of merger or
6 consolidation as set forth in K.S.A. 17-7681 or K.S.A. 2020 Supp. 17-
7 76,143a, and amendments thereto;
- 8 (k) certificate of correction as set forth in K.S.A. 2020 Supp. 17-
9 7912, and amendments thereto;
- 10 (l) foreign certificate of correction as set forth in K.S.A. 2020 Supp.
11 17-7912, and amendments thereto;
- 12 (m) change of registered office or resident agent as set forth in K.S.A.
13 2020 Supp. 17-7926, 17-7927, 17-7928 and 17-7929, and amendments
14 thereto;
- 15 (n) mergers or consolidations as set forth in K.S.A. 17-7681 or
16 K.S.A. 2020 Supp. 17-76,143a, and amendments thereto;
- 17 (o) reinstatement as set forth in K.S.A. 17-76,139 or K.S.A. 2020
18 Supp. 17-76-147, and amendments thereto;
- 19 (p) certificate of cancellation as set forth in K.S.A. 17-7675 or K.S.A
20 2020 Supp. 17-76,143, and amendments thereto;
- 21 (q) foreign cancellation of registration as set forth in K.S.A. 2020
22 Supp. 17-7936, and amendments thereto; and
- 23 (r) certificate of division as set forth in K.S.A. 2020 Supp. 17-7685a,
24 and amendments thereto.
- 25 Sec. 27. On and after January 1, 2023, K.S.A. 2020 Supp. 17-7905 is
26 hereby amended to read as follows: 17-7905. ~~(a)~~ The following documents
27 related to limited partnerships shall be filed with the secretary of state:
- 28 ~~(1)~~(a) Certificate of limited partnership as set forth in K.S.A. 56-
29 1a151, and amendments thereto;
- 30 ~~(2)~~(b) foreign application for registration as set forth in K.S.A. 2020
31 Supp. 17-7931, and amendments thereto;
- 32 ~~(3)~~(c) ~~annual~~ *business entity information* report as set forth in K.S.A.
33 56-1a606 and 56-1a607, and amendments thereto;
- 34 ~~(4)~~(d) amendment to certificate as set forth in K.S.A. 56-1a152, and
35 amendments thereto;
- 36 ~~(5)~~(e) restated certificate as set forth in K.S.A. 56-1a160, and
37 amendments thereto;
- 38 ~~(6)~~(f) change of registered office or resident agent as set forth in
39 K.S.A. 2020 Supp. 17-7926, 17-7927, 17-7928 and 17-7929, and
40 amendments thereto;
- 41 ~~(7)~~(g) foreign certificate of amendment or correction as set forth in
42 K.S.A. 2020 Supp. 17-7912, and amendments thereto;
- 43 ~~(8)~~(h) mergers as set forth in K.S.A. 2020 Supp. 17-78,201 through

1 17-78,206, and amendments thereto;

2 ~~(9)(i)~~ reinstatement as set forth in K.S.A. 56-1a606 and 56-1a607,
3 and amendments thereto;

4 ~~(10)(j)~~ cancellation as set forth in K.S.A. 56-1a153, and amendments
5 thereto; and

6 ~~(11)(k)~~ foreign cancellation of registration as set forth in K.S.A. 2020
7 Supp. 17-7936, and amendments thereto.

8 ~~(b) This section shall take effect on and after January 1, 2015.~~

9 Sec. 28. On and after January 1, 2023, K.S.A. 2020 Supp. 17-7906 is
10 hereby amended to read as follows: 17-7906. ~~(a)~~ The following documents
11 related to limited liability partnerships shall be filed with the secretary of
12 state:

13 ~~(1)(a)~~ Statement of qualification as set forth in K.S.A. 56a-1001, and
14 amendments thereto;

15 ~~(2)(b)~~ foreign statement of qualification as set forth in K.S.A. 2020
16 Supp. 17-7931, and amendments thereto;

17 ~~(3)(c)~~ ~~annual~~ *business entity information* report as set forth in K.S.A.
18 56a-1201 and 56a-1202, and amendments thereto;

19 ~~(4)(d)~~ amendment to statement of qualification as set forth in K.S.A.
20 56a-105, and amendments thereto;

21 ~~(5)(e)~~ change of registered office or resident agent as set forth in
22 K.S.A. 2020 Supp. 17-7926, 17-7927, 17-7928 and 17-7929, and
23 amendments thereto;

24 ~~(6)(f)~~ reinstatement as set forth in K.S.A. 56a-1201, and amendments
25 thereto;

26 ~~(7)(g)~~ cancellation of statement as set forth in K.S.A. 56a-105, and
27 amendments thereto;

28 ~~(8)(h)~~ statement of denial as set forth in K.S.A. 56a-304, and
29 amendments thereto;

30 ~~(9)(i)~~ statement of dissociation as set forth in K.S.A. 56a-704, and
31 amendments thereto;

32 ~~(10)(j)~~ statement of dissolution as set forth in K.S.A. 56a-105 and
33 56a-805, and amendments thereto; and

34 ~~(11)(k)~~ statement of merger as set forth in K.S.A. 56a-907, and
35 amendments thereto.

36 ~~(b) This section shall take effect on and after January 1, 2015.~~

37 Sec. 29. K.S.A. 2020 Supp. 17-7910 is hereby amended to read as
38 follows: 17-7910. When any document is required by this act to be filed
39 with the secretary of state, such requirement means that:

40 (a) The original signed document shall be delivered to the office of
41 the secretary of state, where the document shall be recorded in an
42 electronic medium. Any signature on documents authorized to be filed
43 with the secretary of state under the provisions of this act may be a

1 facsimile, a conformed signature, *an electronic signature* or an
2 electronically transmitted signature;

3 (b) all taxes and fees authorized by law to be collected by the
4 secretary of state in connection with the filing of the document shall be
5 tendered to the secretary of state;

6 (c) upon delivery of the document, and upon tender of the required
7 taxes and fees, the secretary of state shall, if the secretary of state finds
8 that the document conforms to law, certify that the document has been
9 filed in the office of the secretary of state by endorsing upon the
10 ~~electronically recorded~~ *electronically recorded* document the word "Filed"
11 and the date and hour of its filing. This endorsement is the "filing date"
12 of the document and is conclusive of the date and time of its filing in the
13 absence of actual fraud. The secretary of state shall thereupon record the
14 endorsed document in an electronic medium and that electronic document
15 shall become the original document; and

16 (d) the secretary of state shall return a certified copy of the recorded
17 document to the person who filed the document or that person's
18 representative, except this provision shall not apply to annual reports.

19 (e) A person who executes any document required by this act to be
20 filed with the secretary of state, including a person who executes such
21 document as an agent or fiduciary, shall not be required to exhibit evidence
22 of the person's authority as a prerequisite to filing such documents with the
23 secretary of state.

24 Sec. 30. On and after January 1, 2023, K.S.A. 2020 Supp. 17-7910, as
25 amended by section 29 of this act, is hereby amended to read as follows:
26 17-7910. When any document is required by this act to be filed with the
27 secretary of state, such requirement means that:

28 (a) The original signed document shall be delivered to the office of
29 the secretary of state, where the document shall be recorded in an
30 electronic medium. Any signature on documents authorized to be filed
31 with the secretary of state under the provisions of this act may be a
32 facsimile, a conformed signature, an electronic signature or an
33 electronically transmitted signature;

34 (b) all taxes and fees authorized by law to be collected by the
35 secretary of state in connection with the filing of the document shall be
36 tendered to the secretary of state;

37 (c) upon delivery of the document, and upon tender of the required
38 taxes and fees, the secretary of state shall, if the secretary of state finds
39 that the document conforms to law, certify that the document has been
40 filed in the office of the secretary of state by endorsing upon the
41 electronically recorded document the word "Filed" and the date and hour
42 of its filing. This endorsement is the "filing date" of the document and is
43 conclusive of the date and time of its filing in the absence of actual fraud.

1 The secretary of state shall thereupon record the endorsed document in an
2 electronic medium and that electronic document shall become the original
3 document; and

4 (d) the secretary of state shall return a certified copy of the recorded
5 document to the person who filed the document or that person's
6 representative, except this provision shall not apply to ~~annual~~ *business*
7 *entity information* reports.

8 (e) A person who executes any document required by this act to be
9 filed with the secretary of state, including a person who executes such
10 document as an agent or fiduciary, shall not be required to exhibit evidence
11 of the person's authority as a prerequisite to filing such documents with the
12 secretary of state.

13 Sec. 31. On and after January 1, 2023, K.S.A. 2020 Supp. 17-7936 is
14 hereby amended to read as follows: 17-7936. (a) A foreign covered entity
15 may cancel its registration by filing with the secretary of state a certificate
16 of cancellation executed by an authorized person, together with a fee if
17 authorized by law, as provided by K.S.A. 2020 Supp. 17-7910, and
18 amendments thereto, and the ~~annual~~ *business entity information* report and
19 ~~annual report~~ *required fee for any tax period which has ended*. The
20 certificate of cancellation shall state that the foreign covered entity
21 surrenders its authority to transact business in the state of Kansas and
22 withdraws therefrom. The certificate of cancellation shall provide the
23 address to which the secretary of state may mail any process against the
24 foreign covered entity that may be served upon the secretary of state. A
25 cancellation does not terminate the authority of the secretary of state to
26 accept service of process on the foreign covered entity with respect to
27 causes of action arising out of the doing of business in the state of Kansas.

28 (b) The filing of a certificate of dissolution or certificate of
29 cancellation issued by the proper official of the state or other jurisdiction
30 in which a foreign covered entity is organized shall have the same effect as
31 the filing of a certificate of cancellation as provided for in subsection (a)
32 above.

33 ~~(e) This section shall take effect on and after January 1, 2015.~~

34 Sec. 32. K.S.A. 2020 Supp. 45-229 is hereby amended to read as
35 follows: 45-229. (a) It is the intent of the legislature that exceptions to
36 disclosure under the open records act shall be created or maintained only
37 if:

38 (1) The public record is of a sensitive or personal nature concerning
39 individuals;

40 (2) the public record is necessary for the effective and efficient
41 administration of a governmental program; or

42 (3) the public record affects confidential information.

43 The maintenance or creation of an exception to disclosure must be

1 compelled as measured by these criteria. Further, the legislature finds that
2 the public has a right to have access to public records unless the criteria in
3 this section for restricting such access to a public record are met and the
4 criteria are considered during legislative review in connection with the
5 particular exception to disclosure to be significant enough to override the
6 strong public policy of open government. To strengthen the policy of open
7 government, the legislature shall consider the criteria in this section before
8 enacting an exception to disclosure.

9 (b) Subject to the provisions of subsections (g) and (h), any new
10 exception to disclosure or substantial amendment of an existing exception
11 shall expire on July 1 of the fifth year after enactment of the new
12 exception or substantial amendment, unless the legislature acts to continue
13 the exception. A law that enacts a new exception or substantially amends
14 an existing exception shall state that the exception expires at the end of
15 five years and that the exception shall be reviewed by the legislature
16 before the scheduled date.

17 (c) For purposes of this section, an exception is substantially
18 amended if the amendment expands the scope of the exception to include
19 more records or information. An exception is not substantially amended if
20 the amendment narrows the scope of the exception.

21 (d) This section is not intended to repeal an exception that has been
22 amended following legislative review before the scheduled repeal of the
23 exception if the exception is not substantially amended as a result of the
24 review.

25 (e) In the year before the expiration of an exception, the revisor of
26 statutes shall certify to the president of the senate and the speaker of the
27 house of representatives, by July 15, the language and statutory citation of
28 each exception that will expire in the following year that meets the criteria
29 of an exception as defined in this section. Any exception that is not
30 identified and certified to the president of the senate and the speaker of the
31 house of representatives is not subject to legislative review and shall not
32 expire. If the revisor of statutes fails to certify an exception that the revisor
33 subsequently determines should have been certified, the revisor shall
34 include the exception in the following year's certification after that
35 determination.

36 (f) "Exception" means any provision of law that creates an exception
37 to disclosure or limits disclosure under the open records act pursuant to
38 K.S.A. 45-221, and amendments thereto, or pursuant to any other
39 provision of law.

40 (g) A provision of law that creates or amends an exception to
41 disclosure under the open records law shall not be subject to review and
42 expiration under this act if such provision:

43 (1) Is required by federal law;

- 1 (2) applies solely to the legislature or to the state court system;
- 2 (3) has been reviewed and continued in existence twice by the
3 legislature; or
- 4 (4) has been reviewed and continued in existence by the legislature
5 during the 2013 legislative session and thereafter.
- 6 (h) (1) The legislature shall review the exception before its scheduled
7 expiration and consider as part of the review process the following:
- 8 (A) What specific records are affected by the exception;
- 9 (B) whom does the exception uniquely affect, as opposed to the
10 general public;
- 11 (C) what is the identifiable public purpose or goal of the exception;
- 12 (D) whether the information contained in the records may be obtained
13 readily by alternative means and how it may be obtained;
- 14 (2) an exception may be created or maintained only if it serves an
15 identifiable public purpose and may be no broader than is necessary to
16 meet the public purpose it serves. An identifiable public purpose is served
17 if the legislature finds that the purpose is sufficiently compelling to
18 override the strong public policy of open government and cannot be
19 accomplished without the exception and if the exception:
- 20 (A) Allows the effective and efficient administration of a
21 governmental program that would be significantly impaired without the
22 exception;
- 23 (B) protects information of a sensitive personal nature concerning
24 individuals, the release of such information would be defamatory to such
25 individuals or cause unwarranted damage to the good name or reputation
26 of such individuals or would jeopardize the safety of such individuals.
27 Only information that would identify the individuals may be excepted
28 under this paragraph; or
- 29 (C) protects information of a confidential nature concerning entities,
30 including, but not limited to, a formula, pattern, device, combination of
31 devices, or compilation of information that is used to protect or further a
32 business advantage over those who do not know or use it, if the disclosure
33 of such information would injure the affected entity in the marketplace.
- 34 (3) Records made before the date of the expiration of an exception
35 shall be subject to disclosure as otherwise provided by law. In deciding
36 whether the records shall be made public, the legislature shall consider
37 whether the damage or loss to persons or entities uniquely affected by the
38 exception of the type specified in paragraph (2)(B) or (2)(C) would occur
39 if the records were made public.
- 40 (i) (1) Exceptions contained in the following statutes as continued in
41 existence in section 2 of chapter 126 of the 2005 Session Laws of Kansas
42 and that have been reviewed and continued in existence twice by the
43 legislature as provided in subsection (g) are hereby continued in existence:

1 1-401, 2-1202, 5-512, 9-1137, 9-1712, 9-2217, 10-630, 11-306, 12-189,
2 12-1,108, 12-1694, 12-1698, 12-2819, 12-4516, 16-715, 16a-2-304, 17-
3 1312e, 17-2227, 17-5832, 17-7511, ~~17-7514~~, 17-76,139, 19-4321, 21-
4 2511, 22-3711, 22-4707, 22-4909, 22a-243, 22a-244, 23-605, 23-9,312,
5 25-4161, 25-4165, 31-405, 34-251, 38-2212, 39-709b, 39-719e, 39-934,
6 39-1434, 39-1704, 40-222, 40-2,156, 40-2c20, 40-2c21, 40-2d20, 40-2d21,
7 40-409, 40-956, 40-1128, 40-2807, 40-3012, 40-3304, 40-3308, 40-3403b,
8 40-3421, 40-3613, 40-3805, 40-4205, 44-510j, 44-550b, 44-594, 44-635,
9 44-714, 44-817, 44-1005, 44-1019, 45-221(a)(1) through (43), 46-256, 46-
10 259, 46-2201, 47-839, 47-844, 47-849, 47-1709, 48-1614, 49-406, 49-427,
11 55-1,102, 58-4114, 59-2135, 59-2802, 59-2979, 59-29b79, 60-3333, 60-
12 3336, 65-102b, 65-118, 65-119, 65-153f, 65-170g, 65-177, 65-1,106, 65-
13 1,113, 65-1,116, 65-1,157a, 65-1,163, 65-1,165, 65-1,168, 65-1,169, 65-
14 1,171, 65-1,172, 65-436, 65-445, 65-507, 65-525, 65-531, 65-657, 65-
15 1135, 65-1467, 65-1627, 65-1831, 65-2422d, 65-2438, 65-2836, 65-2839a,
16 65-2898a, 65-3015, 65-3447, 65-34,108, 65-34,126, 65-4019, 65-4922,
17 65-4925, 65-5602, 65-5603, 65-6002, 65-6003, 65-6004, 65-6010, 65-
18 67a05, 65-6803, 65-6804, 66-101c, 66-117, 66-151, 66-1,190, 66-1,203,
19 66-1220a, 66-2010, 72-2232, 72-3438, 72-6116, 72-6267, 72-9934, 73-
20 1228, 74-2424, 74-2433f, 74-32,419, 74-4905, 74-4909, 74-50,131, 74-
21 5515, 74-7308, 74-7338, 74-8104, 74-8307, 74-8705, 74-8804, 74-9805,
22 75-104, 75-712, 75-7b15, 75-1267, 75-2943, 75-4332, 75-4362, 75-5133,
23 75-5266, 75-5665, 75-5666, 75-7310, 76-355, 76-359, 76-493, 76-12b11,
24 76-12c03, 76-3305, 79-1119, 79-1437f, 79-3234, 79-3395, 79-3420, 79-
25 3499, 79-34,113, 79-3614, 79-3657, 79-4301 and 79-5206.

26 (2) Exceptions contained in the following statutes as certified by the
27 revisor of statutes to the president of the senate and the speaker of the
28 house of representatives pursuant to subsection (e) and that have been
29 reviewed during the 2015 legislative session and continued in existence by
30 the legislature as provided in subsection (g) are hereby continued in
31 existence: 17-2036, 40-5301, 45-221(a)(45), (46) and (49), 48-16a10, 58-
32 4616, 60-3351, 72-3415, 74-50,217 and 75-53,105.

33 (j) (1) Exceptions contained in the following statutes as continued in
34 existence in section 1 of chapter 87 of the 2006 Session Laws of Kansas
35 and that have been reviewed and continued in existence twice by the
36 legislature as provided in subsection (g) are hereby continued in existence:
37 1-501, 9-1303, 12-4516a, 39-970, 65-525, 65-5117, 65-6016, 65-6017 and
38 74-7508.

39 (2) Exceptions contained in the following statutes as certified by the
40 revisor of statutes to the president of the senate and the speaker of the
41 house of representatives pursuant to subsection (e) during 2015 and that
42 have been reviewed during the 2016 legislative session are hereby
43 continued in existence: 12-5611, 22-4906, 22-4909, 38-2310, 38-2311, 38-

1 2326, 40-955, 44-1132, 45-221(a)(10)(F) and (a)(50), 60-3333, 65-4a05,
2 65-445(g), 65-6154, 71-218, 75-457, 75-712c, 75-723 and 75-7c06.

3 (k) Exceptions contained in the following statutes as certified by the
4 revisor of statutes to the president of the senate and the speaker of the
5 house of representatives pursuant to subsection (e) and that have been
6 reviewed during the 2014 legislative session and continued in existence by
7 the legislature as provided in subsection (g) are hereby continued in
8 existence: 1-205, 2-2204, 8-240, 8-247, 8-255c, 8-1324, 8-1325, 12-
9 17,150, 12-2001, 17-12a607, 38-1008, 38-2209, 40-5006, 40-5108, 41-
10 2905, 41-2906, 44-706, 44-1518, 45-221(a)(44), (45), (46), (47) and (48),
11 50-6a11, ~~56-1a610~~, ~~56a-1204~~, 65-1,243, 65-16,104, 65-3239, 74-50,184,
12 74-8134, 74-99b06, 77-503a and 82a-2210.

13 (l) Exceptions contained in the following statutes as certified by the
14 revisor of statutes to the president of the senate and the speaker of the
15 house of representatives pursuant to subsection (e) during 2016 and that
16 have been reviewed during the 2017 legislative session are hereby
17 continued in existence: 12-5711, 21-2511, 22-4909, 38-2313, 45-221(a)
18 (51) and (52), 65-516, 65-1505, 74-2012, 74-5607, 74-8745, 74-8752, 74-
19 8772, 75-7d01, 75-7d05, 75-5133, 75-7427 and 79-3234.

20 (m) Exceptions contained in the following statutes as certified by the
21 revisor of statutes to the president of the senate and the speaker of the
22 house of representatives pursuant to subsection (e) during 2012 and that
23 have been reviewed during the 2013 legislative session and continued in
24 existence by the legislature as provided in subsection (g) are hereby
25 continued in existence: 12-5811, 40-222, 40-223j, 40-5007a, 40-5009a,
26 40-5012a, 65-1685, 65-1695, 65-2838a, 66-1251, 66-1805, 72-8268, 75-
27 712 and 75-5366.

28 (n) Exceptions contained in the following statutes as certified by the
29 revisor of statutes to the president of the senate and the speaker of the
30 house of representatives pursuant to subsection (e) and that have been
31 reviewed during the 2018 legislative session are hereby continued in
32 existence: 9-513c(c)(2), 39-709, 45-221(a)(26), (53) and (54), 65-6832,
33 65-6834, 75-7c06 and 75-7c20.

34 (o) Exceptions contained in the following statutes as certified by the
35 revisor of statutes to the president of the senate and the speaker of the
36 house of representatives pursuant to subsection (e) that have been
37 reviewed during the 2019 legislative session are hereby continued in
38 existence: 21-2511(h)(2), 21-5905(a)(7), 22-2302(b) and (c), 22-2502(d)
39 and (e), 40-222(k)(7), 44-714(e), 45-221(a)(55), 46-1106(g) regarding 46-
40 1106(i), 65-2836(i), 65-2839a(c), 65-2842(d), 65-28a05(n), article 6(d) of
41 65-6230, 72-6314(a) and 74-7047(b).

42 (p) Exceptions contained in the following statutes as certified by the
43 revisor of statutes to the president of the senate and the speaker of the

1 house of representatives pursuant to subsection (e) that have been
 2 reviewed during the 2020 legislative session are hereby continued in
 3 existence: 38-2310(c), 40-409(j)(2), 40-6007(a), 45-221(a)(52), 46-1129,
 4 59-29a22(b)(10) and 65-6747.

5 Sec. 33. On and after January 1, 2023, K.S.A. 53-601 is hereby
 6 amended to read as follows: 53-601. (a) Except as provided by subsection
 7 (b), whenever a law of this state or any rules and regulations, order or
 8 requirement adopted or issued thereunder requires or permits a matter to
 9 be supported, evidenced, established or proved by the sworn written
 10 declaration, verification, certificate, statement, oath or affidavit of a
 11 person, such matter may be supported, evidenced, established or proved
 12 with the same force and effect by the unsworn written declaration,
 13 verification, certificate or statement dated and subscribed by the person as
 14 true, under penalty of perjury, in substantially the following form:

15 (1) If executed outside this state: "I declare (or verify, certify or state)
 16 under penalty of perjury under the laws of the state of Kansas that the
 17 foregoing is true and correct. Executed on (date).

18 _____(Signature)"

19 (2) If executed in this state: "I declare (or verify, certify or state)
 20 under penalty of perjury that the foregoing is true and correct. Executed on
 21 (date).

22 _____(Signature)"

23 (b) The provisions of subsection (a) do not apply to the following
 24 oaths:

25 (1) An oath of office.

26 (2) An oath required to be taken before a specified official other than
 27 a notary public.

28 (3) An oath of a testator or witnesses as required for wills, codicils,
 29 revocations of wills and codicils and republications of wills and codicils.

30 (c) A notarial act performed prior to the effective date of this act is
 31 not affected by this act. Nothing in this act diminishes or invalidates the
 32 recognition accorded to notarial acts by other laws of this state or rules and
 33 regulations adopted thereunder.

34 (d) On or after July 1, 1989, whenever an officer or partner listed in
 35 ~~subsection (b) of K.S.A. 17-2718(d), subsection (e) of K.S.A. 17-7503(e),~~
 36 ~~subsection (e) of K.S.A. 17-7504(e), subsection (e) of K.S.A. 17-7505(e),~~
 37 ~~subsection (d) of K.S.A. 56-1a606 or subsection (d) of (e) or K.S.A. 56-~~
 38 ~~1a607(e),~~ and amendments thereto, is required to execute a report before a
 39 notary or swear an oath before an officer authorized to administer oaths, in
 40 lieu thereof, such person may execute an unsworn declaration if such
 41 declaration is in substantial conformity with subsections (a), (b) and (c) of
 42 this section.

43 (e) On or after July 1, 1990, subsections (a), (b) and (c) of this section

1 shall have general application.

2 Sec. 34. K.S.A. 56-1a151 is hereby amended to read as follows: 56-
3 1a151. (a) In order to form a limited partnership, a certificate of limited
4 partnership must be executed and filed in the office of the secretary of
5 state. Such certificate shall set forth:

6 (1) The name of the limited partnership;

7 (2) the address of the registered office and the name and address of
8 the resident agent for service of process required to be maintained by
9 K.S.A. ~~56-1a104~~ 2020 *Supp. 17-7925*, and amendments thereto;

10 (3) the name and the business or residence address of each general
11 partner;

12 (4) the latest date upon which the limited partnership is to dissolve;
13 and

14 (5) any other matters the general partners determine to include in the
15 certificate.

16 (b) A limited partnership is formed at the time of the filing of the
17 initial certificate of limited partnership in the office of the secretary of
18 state or at any later time specified in the certificate of limited partnership
19 if, in either case, there has been substantial compliance with the
20 requirements of this section.

21 Sec. 35. On and after January 1, 2023, K.S.A. 56-1a605 is hereby
22 amended to read as follows: 56-1a605. (a) The secretary of state shall
23 charge each domestic and foreign limited partnership the following fees:

24 (1) For issuing or filing and indexing any of the documents described
25 below, a fee of \$20:

26 (A) A certificate of amendment of limited partnership;

27 (B) a restated certificate of limited partnership;

28 (C) a certificate of cancellation of limited partnership;

29 (D) a certificate of change of location of registered office or
30 registered agent; and

31 (E) any certificate, affidavit, agreement or any other paper provided
32 for in this act, for which no different fee is specifically prescribed;

33 (2) for certified copies, a fee of \$7.50 for each copy certified plus a
34 fee per page, if the secretary of state supplies the copies, in an amount
35 fixed by the secretary of state and approved by the director of accounts and
36 reports for copies of corporate documents under K.S.A. 45-204 and
37 amendments thereto;

38 (3) for each certificate of good standing and certificate of fact issued
39 by the secretary of state, a fee of \$7.50;

40 (4) for a report of record search, a fee of \$5, but furnishing the
41 following information shall not be considered a record search and no
42 charge shall be made therefor: name of the limited partnership and the
43 address of its registered office; name and address of the resident agent; the

1 state of the limited partnership's formation; the date of filing of its
2 certificate of limited partnership or ~~annual~~ *business entity information*
3 report; and date of expiration; and

4 (5) for photocopies of instruments on file or prepared by the secretary
5 of state's office and which are not certified, a fee per page in an amount
6 fixed by the secretary of state and approved by the director of accounts and
7 reports for copies of corporate documents under K.S.A. 45-204 and
8 amendments thereto.

9 (b) Every limited partnership hereafter formed in this state shall pay
10 to the secretary of state at the time of filing its certificate of limited
11 partnership, an application and recording fee of \$150.

12 (c) At the time of filing its application to do business, every foreign
13 limited partnership shall pay to the secretary of state an application and
14 recording fee of \$150.

15 (d) The secretary of state shall not charge any fees for the documents
16 or services described in this section upon an official request by any agency
17 of this state or of the United States, or by any officer or employee thereof.

18 Sec. 36. On and after January 1, 2023, K.S.A. 2020 Supp. 56-1a606
19 is hereby amended to read as follows: 56-1a606. (a) Every limited
20 partnership organized under the laws of this state shall make ~~an annual~~ *a*
21 *written business entity information* report ~~in writing~~ to the secretary of
22 state, stating the prescribed information concerning the limited partnership
23 at the close of business on the last day of its tax period next preceding the
24 date of filing. If the limited partnership's tax period is other than the
25 calendar year, it shall give notice of its different tax period to the secretary
26 of state prior to December 31 of the year it commences the different tax
27 period.

28 (b) The ~~annual~~ report shall be filed *biennially, as determined by the*
29 *year that the limited partnership filed its formation documents. A limited*
30 *partnership that filed formation documents in an even-numbered year*
31 *shall file a report in each even-numbered year. A limited partnership that*
32 *filed formation documents in an odd-numbered year shall file a report in*
33 *each odd-numbered year. The report shall be filed after the close of the*
34 *limited partnership's tax period but not later than at the time prescribed by*
35 *law for filing the limited partnership's annual Kansas income tax return.*

36 (b)(c) The ~~annual~~ report shall be made on a form prescribed by the
37 secretary of state. ~~The report and~~ shall contain the following information:

38 (1) The name of the limited partnership; and
39 (2) a list of the partners owning at least 5% of the capital of the
40 partnership, with the address of each.

41 (e)(d) Every limited partnership subject to the provisions of this
42 section ~~which~~ *that* is a limited agricultural partnership, as defined in
43 K.S.A. 17-5903, and amendments thereto, and ~~which~~ *that* holds

1 agricultural land, as defined in K.S.A. 17-5903, and amendments thereto,
2 within this state shall show the following additional information on the
3 report:

4 (1) The number of acres and location, listed by section, range,
5 township and county of each lot, tract or parcel of agricultural land in this
6 state owned or leased by the limited partnership; and

7 (2) whether any of the agricultural land held and reported under
8 ~~subsection (e)(1) paragraph (1)~~ was acquired after July 1, 1981.

9 ~~(d)~~(e) The ~~annual~~ report shall be signed by the general partner or
10 partners of the limited partnership under penalty of perjury and forwarded
11 to the secretary of state.

12 (f) At the time of filing ~~the its business entity information~~ report, the
13 limited partnership shall pay to the secretary of state ~~an annual report a fee~~
14 in an amount equal to ~~\$40~~ \$80, *plus the amount specified in rules and*
15 *regulations of the secretary multiplied by the number of tax periods*
16 *included in the report.*

17 ~~(e)~~(g) The provisions of K.S.A. 17-7509, and amendments thereto,
18 relating to penalties for failure of a corporation to file ~~an annual a business~~
19 *entity information* report or pay the required ~~annual report~~ fee, and the
20 provisions of K.S.A. 17-7510(a), and amendments thereto, relating to
21 forfeiture of a domestic corporation's articles of incorporation for failure to
22 file ~~an annual a business entity information~~ report or pay the required
23 ~~annual report~~ fee, shall be applicable to the certificate of partnership of any
24 limited partnership ~~which that~~ fails to file its ~~annual business entity~~
25 *information* report or pay the ~~annual report~~ *required* fee within 90 days of
26 the time prescribed in this section for filing and paying the same or, in the
27 case of ~~an annual a~~ report filing and fee received by mail, postmarked
28 within 90 days of the time prescribed in this section for filing and paying
29 the same. Whenever the certificate of partnership of a limited partnership
30 is forfeited for failure to file ~~an annual a business entity information~~ report
31 or to pay the required ~~annual report~~ fee, the limited partnership may be
32 reinstated by filing a certificate of reinstatement, in the manner and form
33 to be prescribed by the secretary of state and paying to the secretary of
34 state all fees, including any penalties thereon, due to the state. The fee for
35 filing a certificate of reinstatement shall be the same as that prescribed by
36 K.S.A. 17-7506, and amendments thereto, for filing a certificate of
37 reinstatement of a corporation's articles of incorporation.

38 Sec. 37. On and after January 1, 2023, K.S.A. 2020 Supp. 56-1a607
39 is hereby amended to read as follows: 56-1a607. (a) Every foreign limited
40 partnership shall make ~~an annual a written business entity information~~
41 ~~report in writing~~ to the secretary of state, stating the prescribed
42 information concerning the limited partnership at the close of business on
43 the last day of its tax period next preceding the date of filing. If the limited

1 partnership's tax period is other than the calendar year, it shall give notice
2 of its different tax period to the secretary of state prior to December 31 of
3 the year it commences the different tax period.

4 (b) The ~~annual~~ report shall be filed *biennially, as determined by the*
5 *year that the foreign limited partnership filed its foreign limited*
6 *partnership application. A foreign limited partnership that filed its*
7 *application in an even-numbered year shall file a report in each even-*
8 *numbered year. A foreign limited partnership that filed its application in*
9 *an odd-numbered year shall file a report in each odd-numbered year. The*
10 *report shall be filed after the close of the limited partnership's tax period*
11 *but not later than at the time prescribed by law for filing the limited*
12 *partnership's annual Kansas income tax return.*

13 (b)(c) The ~~annual~~ report shall be made on a form prescribed by the
14 secretary of state. ~~The report and~~ shall contain the name of the limited
15 partnership.

16 (e)(d) Every foreign limited partnership subject to the provisions of
17 this section ~~which~~ that is a limited agricultural partnership, as defined in
18 K.S.A. 17-5903, and amendments thereto, and ~~which~~ that holds
19 agricultural land, as defined in K.S.A. 17-5903, and amendments thereto,
20 within this state shall show the following additional information on the
21 report:

22 (1) The number of acres and location, listed by section, range,
23 township and county of agricultural land in this state owned or leased by
24 the limited partnership; and

25 (2) whether any of the agricultural land held and reported under
26 ~~subsection (e)(1) paragraph (1)~~ was acquired after July 1, 1981.

27 (d)(e) The ~~annual~~ report shall be signed by the general partner or
28 partners of the limited partnership under penalty of perjury and forwarded
29 to the secretary of state.

30 (f) At the time of filing ~~the~~ *its business entity information* report, the
31 foreign limited partnership shall pay to the secretary of state ~~an annual~~
32 ~~report~~ a fee in an amount equal to ~~\$40~~ \$80, *plus the amount specified in*
33 *rules and regulations of the secretary multiplied by the number of tax*
34 *periods included in the report.*

35 (e)(g) The provisions of K.S.A. 17-7509, and amendments thereto,
36 relating to penalties for failure of a corporation to file ~~an annual~~ *a business*
37 *entity information* report or pay the required ~~annual report~~ fee, and the
38 provisions of K.S.A. 17-7510(b), and amendments thereto, relating to
39 forfeiture of a foreign corporation's authority to do business in this state
40 for failure to file ~~an annual~~ *a business entity information* report or pay the
41 required ~~annual report~~ fee, shall be applicable to the authority of any
42 foreign limited partnership which fails to file its ~~annual~~ *business entity*
43 *information* report or pay the ~~annual report~~ *required* fee within 90 days of

1 the time prescribed in this section for filing and paying the same or, in the
2 case of ~~an annual~~ a report filing and fee received by mail, postmarked
3 within 90 days of the time prescribed in this section for filing and paying
4 the same. Whenever the authority of a foreign limited partnership to do
5 business in this state is forfeited for failure to file ~~an annual~~ a *business*
6 *entity information* report or to pay the required ~~annual~~ report fee, the
7 foreign limited partnership's authority to do business in this state may be
8 reinstated by filing a certificate of reinstatement, in the manner and form
9 to be prescribed by the secretary of state and paying to the secretary of
10 state all fees, including any penalties thereon, due to the state. The fee for
11 filing a certificate of reinstatement shall be the same as that prescribed by
12 K.S.A. 17-7506, and amendments thereto, for filing a certificate of
13 reinstatement of a corporation's articles of incorporation.

14 Sec. 38. K.S.A. 56a-101 is hereby amended to read as follows: 56a-
15 101. In this act:

16 (a) "Business" includes every trade, occupation, and profession.

17 (b) "Debtor in bankruptcy" means a person who is the subject of:

18 (1) An order for relief under title 11 of the United States code or a
19 comparable order under a successor statute of general application; or

20 (2) a comparable order under federal, state, or foreign law governing
21 insolvency.

22 (c) "Distribution" means a transfer of money or other property from a
23 partnership to a partner in the partner's capacity as a partner or to the
24 partner's transferee.

25 (d) "Foreign limited liability partnership" means a partnership that:

26 (1) Is formed under laws other than the laws of this state; and

27 (2) has the status of a limited liability partnership under those laws.

28 (e) "Limited liability partnership" means a partnership that has filed a
29 statement of qualification under K.S.A. 56a-1001, *and amendments*
30 *thereto*, and does not have a similar statement in effect in any other
31 jurisdiction.

32 (f) "Partnership" means an association of two or more persons to
33 carry on as co-owners a business for profit formed under K.S.A. 56a-202,
34 *and amendments thereto*, predecessor law, or comparable law of another
35 jurisdiction.

36 (g) "Partnership agreement" means the agreement, whether written,
37 oral, or implied, among the partners concerning the partnership, including
38 amendments to the partnership agreement.

39 (h) "Partnership at will" means a partnership in which the partners
40 have not agreed to remain partners until the expiration of a definite term or
41 the completion of a particular undertaking.

42 (i) "Partnership interest" or "partner's interest in the partnership"
43 means all of a partner's interests in the partnership, including the partner's

1 transferable interest and all management and other rights.

2 (j) "Person" means an individual, corporation, business trust, estate,
3 trust, partnership, association, joint venture, government, governmental
4 subdivision, agency, or instrumentality, or any other legal or commercial
5 entity.

6 (k) "Property" means all property, real, personal, or mixed, tangible
7 or intangible, or any interest therein.

8 (l) "State" means a state of the United States, the District of
9 Columbia, the commonwealth of Puerto Rico, or any territory or insular
10 possession subject to the jurisdiction of the United States.

11 (m) "Statement" means a statement of partnership authority under
12 K.S.A. 56a-303, *and amendments thereto*, a statement of denial under
13 K.S.A. 56a-304, *and amendments thereto*, a statement of dissociation
14 under K.S.A. 56a-704, *and amendments thereto*, a statement of dissolution
15 under K.S.A. 56a-805, *and amendments thereto*, a statement of merger
16 under K.S.A. 56a-907, *and amendments thereto*, a statement of
17 qualification under K.S.A. 56a-1001, *and amendments thereto*, a statement
18 of foreign qualification under K.S.A. 56a-1102, *and amendments thereto*,
19 or an amendment or cancellation of any of the foregoing.

20 (n) "*Street address*" means the location with the number, street, city,
21 state and postal code.

22 (o) "Transfer" includes an assignment, conveyance, lease, mortgage,
23 deed, and encumbrance.

24 Sec. 39. K.S.A. 2020 Supp. 56a-1001 is hereby amended to read as
25 follows: 56a-1001. (a) A partnership may become a limited liability
26 partnership pursuant to this section.

27 (b) The terms and conditions on which a partnership becomes a
28 limited liability partnership must be approved by the vote necessary to
29 amend the partnership agreement except, in the case of a partnership
30 agreement that expressly considers contribution obligations, the vote
31 necessary to amend those provisions.

32 (c) After the approval required by subsection (b), a partnership may
33 become a limited liability partnership by filing a statement of qualification.
34 The statement must contain:

35 (1) The name of the partnership;

36 (2) the address of the registered office and the name of the resident
37 agent for service of process required to be maintained pursuant to K.S.A.
38 2020 Supp. ~~56a-1005~~ 17-7925, and amendments thereto;

39 (3) a statement that the partnership elects to be a limited liability
40 partnership; and

41 (4) a deferred effective date, if any.

42 (d) The status of a partnership as a limited liability partnership is
43 effective on the later of the filing of the statement or a date specified in the

1 statement. The status remains effective, regardless of changes in the
2 partnership, until it is canceled pursuant to ~~subsection (d)~~ of K.S.A. 56a-
3 105(d), and amendments thereto, or revoked pursuant to K.S.A. 56a-1201,
4 and amendments thereto.

5 (e) The status of a partnership as a limited liability partnership and
6 the liability of its partners is not affected by errors or later changes in the
7 information required to be contained in the statement of qualification
8 under subsection (c).

9 (f) The filing of a statement of qualification establishes that a
10 partnership has satisfied all conditions precedent to the qualification of the
11 partnership as a limited liability partnership.

12 (g) An amendment or cancellation of a statement of qualification is
13 effective when it is filed or on a deferred effective date specified in the
14 amendment or cancellation.

15 Sec. 40. On and after January 1, 2023, K.S.A. 2020 Supp. 56a-1201
16 is hereby amended to read as follows: 56a-1201. (a) Every limited liability
17 partnership organized under the laws of this state shall make ~~an annual~~ a
18 *written business entity information* report ~~in writing~~ to the secretary of
19 state, stating the prescribed information concerning the limited liability
20 partnership at the close of business on the last day of its tax period next
21 preceding the date of filing. If the limited liability partnership's tax period
22 is other than the calendar year, it shall give notice of its different tax period
23 in writing to the secretary of state prior to December 31 of the year it
24 commences the different tax period.

25 (b) The ~~annual~~ report shall be filed *biennially, as determined by the*
26 *year that the limited liability partnership filed its limited liability*
27 *partnership formation documents. A limited liability partnership that filed*
28 *formation documents in an even-numbered year shall file a report in each*
29 *even-numbered year. A limited liability partnership that filed formation*
30 *documents in an odd-numbered year shall file a report in each odd-*
31 *numbered year. The report shall be filed after the close of the limited*
32 *liability partnership's tax period but not later than at the time prescribed*
33 *by law for filing the limited liability partnership's annual Kansas income*
34 *tax return.*

35 ~~(b)(c)~~ The ~~annual~~ report shall be made on a form prescribed by the
36 secretary of state. ~~The report and~~ shall contain the following information:

37 (1) The name of the limited liability partnership; and
38 (2) a list of the partners owning at least 5% of the capital of the
39 partnership, with the address of each.

40 ~~(e)(d)~~ The ~~annual~~ report shall be signed by a partner of the limited
41 liability partnership under penalty of perjury and forwarded to the
42 secretary of state.

43 (e) At the time of filing ~~the its business entity information~~ report, the

1 limited liability partnership shall pay to the secretary of state ~~an annual~~
2 ~~report~~ a fee in an amount equal to ~~\$40~~ \$80, plus the amount specified in
3 rules and regulations of the secretary multiplied by the number of tax
4 periods included in the report.

5 ~~(d)~~(f) The provisions of K.S.A. 17-7509, and amendments thereto,
6 relating to penalties for failure of a corporation to file ~~an annual a business~~
7 ~~entity information~~ report or pay the required ~~annual report~~ fee, and the
8 provisions of K.S.A. 17-7510(a), and amendments thereto, relating to
9 penalties for failure of a corporation to file ~~an annual a business entity~~
10 ~~information~~ report or pay the required ~~annual report~~ fee, shall be
11 applicable to the statement of qualification of any limited liability
12 partnership ~~which that~~ fails to file its ~~annual business entity information~~
13 report or pay the ~~annual report~~ required fee within 90 days of the time
14 prescribed in this section for filing and paying the same or, in the case of
15 ~~an annual a~~ report filing and fee received by mail, postmarked within 90
16 days of the time prescribed in this section for filing and paying the same.
17 Whenever the statement of qualification of a limited liability partnership is
18 forfeited for failure to file ~~an annual a business entity information~~ report or
19 to pay the required ~~annual report~~ fee, the limited liability partnership may
20 be reinstated by filing a certificate of reinstatement, in the manner and
21 form to be prescribed by the secretary of state and paying to the secretary
22 of state all fees, including any penalties thereon, due to the state. The fee
23 for filing a certificate of reinstatement shall be the same as that prescribed
24 by K.S.A. 17-7506, and amendments thereto, for filing a certificate of
25 reinstatement of a corporation's articles of incorporation.

26 Sec. 41. On and after January 1, 2023, K.S.A. 2020 Supp. 56a-1202
27 is hereby amended to read as follows: 56a-1202. (a) Every foreign limited
28 liability partnership shall make ~~an annual a written business entity~~
29 ~~information~~ report ~~in writing~~ to the secretary of state, stating the
30 prescribed information concerning the foreign limited liability partnership
31 at the close of business on the last day of its tax period next preceding the
32 date of filing. If the foreign limited liability partnership's tax period is
33 other than the calendar year, it shall give notice in writing of its different
34 tax period to the secretary of state prior to December 31 of the year it
35 commences the different tax period.

36 (b) The ~~annual~~ report shall be filed *biennially, as determined by the*
37 *year that the foreign limited liability partnership filed its foreign limited*
38 *liability partnership application. A foreign limited liability partnership*
39 *that filed its application in an even-numbered year shall file a report in*
40 *each even-numbered year. A foreign limited liability partnership that filed*
41 *its application in an odd-numbered year shall file a report in each odd-*
42 *numbered year. The report shall be filed after the close of the foreign*
43 *limited liability partnership's tax period but not later than at the time*

1 prescribed by law for filing the foreign limited liability partnership's
2 annual Kansas income tax return.

3 ~~(b)~~(c) The ~~annual~~ report shall be made on a form prescribed by the
4 secretary of state. ~~The report~~ and shall contain the name of the foreign
5 limited liability partnership.

6 ~~(e)~~(d) The ~~annual~~ report shall be signed by a partner of the foreign
7 limited liability partnership under penalty of perjury and forwarded to the
8 secretary of state.

9 (e) At the time of filing ~~the its business entity information~~ report, the
10 foreign limited liability partnership shall pay to the secretary of state ~~an~~
11 ~~annual report~~ a fee in an amount equal to ~~\$40~~ \$80, plus the amount
12 specified in rules and regulations of the secretary multiplied by the
13 number of tax periods included in the report.

14 ~~(d)~~(f) The provisions of K.S.A. 17-7509, and amendments thereto,
15 relating to penalties for failure of a corporation to file ~~an annual~~ a business
16 *entity information* report or pay the required ~~annual report~~ fee, and the
17 provisions of K.S.A. 17-7510(a), and amendments thereto, relating to
18 penalties for failure of a corporation to file ~~an annual~~ a business *entity*
19 *information* report or pay the required ~~annual report~~ fee, shall be
20 applicable to the statement of foreign qualification of any foreign limited
21 liability partnership ~~which that~~ fails to file its ~~annual business entity~~
22 *information* report or pay the ~~annual report~~ required fee within 90 days of
23 the time prescribed in this section for filing and paying the same or, in the
24 case of ~~an annual~~ a report filing and fee received by mail, postmarked
25 within 90 days of the time prescribed in this section for filing and paying
26 the same. Whenever the statement of foreign qualification of a foreign
27 limited liability partnership is forfeited for failure to file ~~an annual~~ a
28 *business entity information* report or to pay the required ~~annual report~~ fee,
29 the statement of foreign qualification of the foreign limited liability
30 partnership may be reinstated by filing a certificate of reinstatement, in the
31 manner and form to be prescribed by the secretary of state and paying to
32 the secretary of state all fees, including any penalties thereon, due to the
33 state. The fee for filing a certificate of reinstatement shall be the same as
34 that prescribed by K.S.A. 17-7506, and amendments thereto, for filing a
35 certificate of reinstatement of a corporation's articles of incorporation.

36 Sec. 42. On and after January 1, 2023, K.S.A. 75-446 is hereby
37 amended to read as follows: 75-446. The secretary of state shall remit all
38 moneys received from ~~annual business entity information~~ report fees, to
39 the state treasurer in accordance with the provisions of K.S.A. 75-4215,
40 and amendments thereto. Upon receipt of each such remittance, the state
41 treasurer shall deposit the entire amount in the state treasury to the credit
42 of the state general fund.

43 Sec. 43. K.S.A. 75-3520 is hereby amended to read as follows: 75-

1 3520. (a) (1) Unless required by federal law, no document available for
2 public inspection or copying shall contain an individual's social security
3 number if such document contains such individual's personal information.
4 "Personal information" shall include, but not be limited to, name, address,
5 phone number or e-mail address.

6 (2) ~~(A)~~ The provisions of paragraphs (1) and (3) ~~of this subsection~~
7 shall not apply to documents recorded in the official records of any
8 recorder of deeds of the county or to any documents filed in the official
9 records of the court and shall be included, but not limited to, such
10 documents of any records that when filed constitutes:

11 ~~(A)~~(i) A consensual or nonconsensual lien;

12 ~~(B)~~(ii) an eviction record;

13 ~~(C)~~(iii) a judgment;

14 ~~(D)~~(iv) a conviction or arrest;

15 ~~(E)~~(v) a bankruptcy;

16 ~~(F)~~(vi) a secretary of state filing; or

17 ~~(G)~~(vii) a professional license.

18 (B) *The provisions of paragraphs (1) and (3) shall not apply to*
19 *documents recorded pursuant to article 9 of chapter 84 of the Kansas*
20 *Statutes Annotated, and amendments thereto, if the social security number*
21 *is improperly placed on a form, in a description or included in an*
22 *attachment.*

23 (3) Any document or record that contains all or any portion of an
24 individual's social security number shall have all portions of all social
25 security numbers redacted before the document or record is made available
26 for public inspection or copying.

27 (4) (A) An agency shall give notice as defined in K.S.A. 2020 Supp.
28 50-7a01, and amendments thereto, to any individual whose personal
29 information was disclosed in violation of this subsection when it becomes
30 aware of the unauthorized disclosure. Notice shall be made in the most
31 expedient time possible and without unreasonable delay, consistent with
32 the legitimate needs of law enforcement and any measures necessary to
33 determine the scope of unauthorized disclosures.

34 (B) The agency shall offer to such individuals credit monitoring
35 services at no cost for a period of one year. The agency shall provide all
36 information necessary for such individual to enroll in such services and
37 shall include information on how such individual can place a security
38 freeze on such individual's consumer report.

39 (b) (1) No person, including an individual, firm, corporation,
40 association, partnership, joint venture or other business entity, or any
41 employee or agent therefor, shall solicit, require or use for commercial
42 purposes an individual's social security number unless such number is
43 necessary for such person's normal course of business and there is a

1 specific use for such number for which no other identifying number may
2 be used.

3 (2) Paragraph (1) ~~of this subsection~~ does not apply to documents or
4 records that are recorded or required to be open to the public pursuant to
5 state or federal law, or by court rule or order, and this paragraph does not
6 limit access to these documents or records.

7 (3) Paragraph (1) ~~of this subsection~~ does not apply to the collection,
8 use or release of social security numbers for the following purposes:

9 (A) Mailing of documents that include social security numbers sent
10 as part of an application or enrollment process or to establish, amend or
11 terminate an account, contract or policy or to confirm the accuracy of the
12 social security number;

13 (B) internal verification or administrative purposes;

14 (C) investigate or prevent fraud, conduct background checks, conduct
15 social or scientific research, collect a debt, obtain a credit report from or
16 furnish data to a consumer reporting agency pursuant to the fair credit
17 reporting act, 15 U.S.C. § 1681 et seq., undertake a permissible purpose
18 enumerated under the Gramm-Leach Bliley Act, 15 U.S.C. § 6802 (e), or
19 locate an individual who is missing, a lost relative, or due a benefit, such
20 as pension, insurance or unclaimed property benefit; or

21 (D) otherwise required by state or federal law or regulation.

22 (c) An individual who is aggrieved by a violation of this section may
23 recover a civil penalty of not more than \$1,000 for each violation.

24 Sec. 44. K.S.A. 17-2711, 56-1a151 and 56a-101 and K.S.A. 2020
25 Supp. 17-6014, 17-78-601, 17-7910, 45-229, 56a-1001, 57-205, 57-206,
26 57-207, 75-447 and 75-3520 are hereby repealed.

27 Sec. 45. On and after January 1, 2023, K.S.A. 17-1513, 17-1618, 17-
28 2037, 17-4677, 17-5902, 17-7509, 17-7511, 53-601, 56-1a605 and 75-446
29 and K.S.A. 2020 Supp. 17-2036, 17-2718, 17-4634, 17-6014, as amended
30 by section 10 of this act, 17-7002, 17-7503, 17-7504, 17-7505, 17-7506,
31 17-7507, 17-7510, 17-7512, 17-76,136, 17-76,139, 17-76,147, 17-7903,
32 17-7904, 17-7905, 17-7906, 17-7910 as amended by section 29 of this act,
33 17-7936, 56-1a606, 56-1a607, 56a-1201 and 56a-1202 are hereby
34 repealed.

35 Sec. 46. This act shall take effect and be in force from and after its
36 publication in the statute book.