

2023 Kansas Statutes

75-1315. Succession to powers, duties and functions of consumer credit commissioner by state bank commissioner and deputy commissioner for consumer and mortgage lending; transfer of real property.

(a) (1) Except as provided in subsection (2), the state bank commissioner shall be the successor in every way to the powers, duties and functions of the consumer credit commissioner in which the same were vested prior to the effective date of this act. Every act performed in the exercise of such powers, duties and functions by or under the authority of the state bank commissioner shall be deemed to have the same force and effect as if performed by the consumer credit commissioner in which such powers, duties and functions were vested prior to the effective date of this act.

(2) The deputy commissioner for consumer and mortgage lending shall be the successor in every way to those powers, duties and functions of the consumer credit commissioner concerning the administration of the uniform consumer credit code (K.S.A. 16a-1-101 et seq., and amendments thereto) in which the same were vested prior to the effective date of this act. Every act performed in the exercise of such powers, duties and functions by or under the authority of the deputy commissioner for consumer and mortgage lending shall be deemed to have the same force and effect as if performed by the consumer credit commissioner in which such powers, duties and functions were vested prior to the effective date of this act.

(b) (1) Except as provided in subsection (2), whenever the consumer credit commissioner, or words of like effect, are referred to or designated by a statute, contract or other document, such reference or designation shall be deemed to apply to the state bank commissioner.

(2) Whenever the consumer credit commissioner, or words of like effect, are referred to or designated by a statute, contract or other document concerning the administration of the uniform consumer credit code (K.S.A. 16a-1-101 et seq., and amendments thereto) such reference or designation shall be deemed to apply to the deputy commissioner for consumer and mortgage lending.

(c) (1) Except as provided in subsection (2), all orders and directives of the consumer credit commissioner in existence on the effective date of this act shall continue to be effective and shall be deemed to be orders and directives of the state bank commissioner until revised, amended or nullified pursuant to law.

(2) All orders and directives of the consumer credit commissioner concerning the administration of the uniform consumer credit code (K.S.A. 16a-1-101 et seq., and amendments thereto) in existence on the effective date of this act shall continue to be effective and shall be deemed to be orders and directives of the deputy commissioner for consumer and mortgage lending until revised, amended or nullified pursuant to law.

(d) (1) Except as provided in subsection (2), all rules and regulations of the consumer credit commissioner, in existence on the effective date of this act shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the state bank commissioner until revised, amended, revoked or nullified pursuant to law.

(2) All rules and regulations of the consumer credit commissioner concerning the administration of the uniform consumer credit code (K.S.A. 16a-1-101 et seq., and amendments thereto) in existence on the effective date of this act shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the deputy commissioner for consumer and mortgage lending until revised, amended, revoked or nullified pursuant to law.

(e) The state bank commissioner shall succeed to whatever right, title or interest the consumer credit commissioner has acquired in any real property in this state, and the state bank commissioner shall hold the same for and in the name of the state of Kansas.

(f) (1) Except as provided in subsection (2), on and after the effective date of this act, whenever any statute, contract or other document concerns the power or authority of the consumer credit commissioner, the state bank commissioner shall succeed to such power or authority.

(2) On and after the effective date of this act, whenever any statute, contract or other document concerns the power or authority of the consumer credit commissioner concerning the administration of the uniform consumer credit code (K.S.A. 16a-1-101 et seq., and amendments thereto) the deputy commissioner for consumer and mortgage lending shall succeed to such power or authority.

History: L. 1999, ch. 166, § 3; July 1.