

SESSION OF 2005

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2138

As Recommended by House Committee on
Insurance

Brief*

HB 2138 would amend existing law, KSA 40-4802, to provide that the insurance policy for amusement rides be written by an insurance company doing business in Kansas. Under current law, the policy must be written by an insurance company authorized to do business in Kansas.

Background

The bill was requested by Representative Jim Morrison on behalf of home owned carnivals. A representative of the Sherman County Community Services, Inc., a home owned carnival organization, testified in support of the bill, noting that the organization has to have policies written each year by out-of-state carriers and the increased costs of those policies. A representative from the Insurance Department indicated that at present, no authorized insurance company in Kansas offers the necessary commercial general liability insurance to amusement ride operators as required by state law. Under current law, an operator is required to purchase insurance from an authorized, or admitted, carrier.

The fiscal note prepared by the Division of the Budget indicates that passage of the bill would have no fiscal effect on the operations of the Insurance Department.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>