

STATE OF KANSAS
HOUSE OF REPRESENTATIVES

STATE CAPITOL
TOPEKA, KS 66612

(785) 296-6014

ron.bryce@house.ks.gov



P.O. BOX 486

COFFEYVILLE, KS 66007

(620) 252-9881

01/25/2024

Ron Bryce

11th DISTRICT

The Honorable Emil Berquist, Chairperson
House Committee on Local Government
300 SW 10th Avenue, Room 281-N
Topeka, KS 66612

Dear Representative Berquist and Members of the Committee:

I appreciate the opportunity to express my support for House Bill 2537.

The State of Kansas Department of Administration has a contract rider form referred to as "form DA 146a". It is a mandatory rider to all contracts entered into by the State and it protects the State against certain contract language that vendors seek to place in contracts.

Key points include:

- 1) It prohibits clauses requiring the State to indemnify the vendor.
- 2) It prohibits binding arbitration clause.
- 3) It prohibits clauses which attempt to limit the liability of the vendor.
- 4) It establishes venue for any litigation to be in a Kansas court.
- 5) It provides that if the legislature fails to appropriate funds, then the contract can be canceled.
- 6) it protects against recovery of attorney fees and late payment fees which are beyond those otherwise permitted by law.

By statute, "form DA 146a rider" has been made applicable to public schools and community colleges. But to date has not been extended to cities or counties.

This legislation extends the applicability of "form DA 146a" to cities and counties.

A handwritten signature in black ink that reads "Ron Bryce". The signature is written in a cursive, flowing style.

Representative Ron Bryce