

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
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**MEMORANDUM**

To: Chairman Sutton and the House Committee on Insurance

From: Office of Revisor of Statutes

Date: March 4, 2024

Subject: **SB 398**, Authorizing the commissioner of insurance to set the amount of certain fees and requiring publication of such fees in the Kansas register.

Last year, in HB 2090, the legislature authorized the commissioner of insurance to set the amount of certain licensing fees for insurance agents and public adjusters. The bill changed the fee amount at that time and established it as a ceiling for the fee and gave the commissioner discretion to set the fee and publish the amount in the KS register. SB 398 would replicate the commissioner's discretion in setting the fees in 25 additional statutes as follows:

- Sec. 1: Application fee for license to sell stock of insurance companies or health maintenance organizations;
- Sec. 2: Fees for insurance companies or fraternal benefit societies to file a summons or order of garnishment;
- Sec. 3: Fees and taxes for insurance companies and fraternal benefit societies;
- Sec. 4: Fees for utilizing the services of managing general agents;
- Sec. 5: Fees for application for certificate of authority for life insurance companies;
- Sec. 6: Fees for application for license as rating organization;
- Sec. 7: Fees for application for certificates of authority for utilization review organizations;
- Sec. 8: Fees for application for licensure as premium finance company;
- Sec. 9: Fees for certificate of authority to transact insurance business in the state;
- Sec. 10: Fees for certificates of authority and filing certain reports for HMOs and MPOs;
- Sec. 11: Fees for transactions affecting control of domestic insurers;
- Sec. 12: Fees for application for licensure for home state TPAs;
- Sec. 13: Fees for application for licensure for nonresident TPAs;
- Sec. 14: Fees to file annual report by a TPA;
- Sec. 15: Fee to apply for licensure for PBM;
- Sec. 16: Fee for renewal license for PBM;
- Sec. 17: Fees for risk retention groups to do business in KS;
- Sec. 18: Fees to do business as a purchasing group
- Sec. 19: Fees for certificate of registration for prepaid service plans
- Sec. 20: Fees for certificate of authority for captive insurance companies;
- Sec. 21: Fees for dormant captive insurance companies;

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- Sec. 22: Fees certificate of authority for special purpose insurance captive insurance companies;
- Sec. 23: Fees for application for licensure as reinsurance intermediary;
- Sec. 24: Fees for continuing education qualification for CE providers;
- Sec. 25: Fees for operation as viatical settlement providers.

Each of the sections mentioned also requires the commissioner of insurance to set the amount of fee for the forthcoming year and publish such fee amount by December 1 of the year.

SB 398 passed the Senate Committee of the Whole unanimously on February 22, 2024.