

75-6208. Same; time for final setoff; hearing. After notification under K.S.A. 75-6206 and amendments thereto of the right to a hearing has been given, final setoff under K.S.A. 75-6209 and amendments thereto may occur at the following applicable time:

(a) If the debtor fails to make timely request for a hearing under K.S.A. 75-6206 and amendments thereto the setoff may be made by the director at any time after expiration of the time within which a hearing may be requested.

(b) Except as provided in subsection (c), if a hearing has been timely requested under K.S.A. 75-6206 and amendments thereto the setoff may be made by the director at any time after the presiding officer serves on the debtor an order stating the amount due under K.S.A. 75-6207 and amendments thereto.

(c) If the setoff will be applied against earnings of the debtor and the debtor, within 15 days after service of the order under K.S.A. 75-6207 and amendments thereto, files written notice with the director that the debtor is appealing the setoff to the district court, the setoff may be made at any time after 30 days from the filing of such notice, unless otherwise ordered by the district court.

History: L. 1981, ch. 342, § 8; L. 1988, ch. 356, § 308; July 1, 1989.