

**HOUSE BILL No. 2209**

By Committee on Insurance

2-8

Proposed Amendments for HB 2209  
For Committee on Financial Institutions and Insurance  
by Eileen Ma  
Office of Revisor of Statutes  
March 14, 2019

1 AN ACT concerning the state board of regents; pertaining to cybersecurity  
2 insurance; authorizing the purchase thereof; amending K.S.A. 2018  
3 Supp. 75-4101 and repealing the existing section.  
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2018 Supp. 75-4101 is hereby amended to read as  
7 follows: 75-4101. (a) There is hereby created a committee on surety bonds  
8 and insurance, which shall consist of the state treasurer, the attorney  
9 general and the commissioner of insurance or their respective designees.  
10 The commissioner of insurance shall be the chairperson of the committee  
11 and the director of purchases or the director's designee shall be the ex  
12 officio secretary. The committee shall meet ~~on~~ *upon the* call of the  
13 chairperson and at such other times as the committee shall determine but at  
14 least once each month on the second Monday in each month. Meetings  
15 shall be held in the office of the commissioner of insurance. The members  
16 of the committee shall serve without compensation. The secretary shall be  
17 the custodian of all property, records and proceedings of the committee.  
18 Except as provided in this section and K.S.A. 74-4925, 74-4927, 75-6501  
19 through 75-6511 and 76-749, and amendments thereto, no state agency  
20 shall purchase any insurance of any kind or nature or any surety bonds  
21 upon state officers or employees, except as provided in this act. Except as  
22 otherwise provided in this section, health care coverage and health care  
23 services of a health maintenance organization for state officers and  
24 employees designated under K.S.A. 75-6501(c), and amendments thereto,  
25 shall be provided in accordance with the provisions of K.S.A. 75-6501  
26 through 75-6511, and amendments thereto.

27 (b) The Kansas turnpike authority may purchase group life, health  
28 and accident insurance or health care services of a health maintenance  
29 organization for its employees or members of the highway patrol assigned,  
30 by contract or agreement entered pursuant to K.S.A. 68-2025, and  
31 amendments thereto, to police toll or turnpike facilities, independent of the  
32 committee on surety bonds and insurance and of the provisions of K.S.A.  
33 75-6501 through 75-6511, and amendments thereto. Such authority may  
34 purchase liability insurance covering all or any part of its operations and  
35 may purchase liability and related insurance upon all vehicles owned or  
36 operated by the authority independent of the committee on surety bonds

1 health care benefits program does not meet federal requirements.

2 (3) *The state board of regents may purchase cybersecurity insurance*  
3 *as it deems necessary to protect student records, labor information and*  
4 *other statutorily protected data that the board maintains, independent of*  
5 *the committee on surety bonds and insurance and without complying with*  
6 *the provisions of K.S.A.75-3738 through 75-3744, and amendments*  
7 *thereto. As used in this paragraph, "cybersecurity insurance" includes, but*  
8 *is not limited to, first-party coverage against losses such as data*  
9 *destruction, denial of service attacks, theft, hacking and liability coverage*  
10 *guaranteeing compensation for damages from errors such as the failure to*  
11 *safeguard data.*

12 (3) (4) The state board of regents may adopt rules and regulations  
13 necessary to administer and implement the provisions of this section.

14 Sec. 2. K.S.A. 2018 Supp. 75-4101 is hereby repealed.

15 Sec. 3. This act shall take effect and be in force from and after its  
16 publication in the ~~Kansas register~~

statute book