

HOUSE BILL No. 2254

By Committee on Health and Human Services

2-8

1 AN ACT concerning funeral arrangements; relating to prearranged funeral
2 agreements; removing the monetary cap on irrevocable agreements;
3 amending K.S.A. 2020 Supp. 16-303 and repealing the existing section.
4

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

6 Section 1. K.S.A. 2020 Supp. 16-303 is hereby amended to read as
7 follows: 16-303. (a) Except as authorized by K.S.A. 16-308, and
8 amendments thereto, all payments made under such agreement, contract or
9 plan, and any earnings or interest thereon, shall remain with such bank,
10 credit union or savings and loan association until the death of the person
11 for whose service the funds were paid or, except as provided in subsection
12 (c), until demand for payment is made by the purchaser of the merchandise
13 or services to the bank, credit union or savings and loan association, and
14 upon such payment to the purchaser, the contract shall terminate.

15 (b) At the option of a purchaser, any installment contract may provide
16 for additional payments by the purchaser for the cost of group credit life
17 insurance at such rate as is approved ~~from time to time~~ by the
18 *commissioner of insurance* ~~commissioner~~. In the event of the death of the
19 purchaser, the proceeds shall be treated as funds in accordance with K.S.A.
20 16-304, and amendments thereto.

21 (c) At the option of the purchaser, such agreement, contract or plan
22 may be made irrevocable ~~as to the retail price of a casket, urn and outside~~
23 ~~burial container and as to the first \$7,000 of funds paid~~ and set aside at the
24 direction of the purchaser. Any interest and earnings accumulated under
25 the agreement, contract or plan may also be irrevocable. ~~This~~ *Such* option
26 shall not prohibit the purchaser ~~to designate from designating~~ a different
27 funeral home at any time prior to death; after written notice to the current
28 funeral home, and, upon such notification, all documents and funds shall
29 be transferred as necessary.

30 Sec. 2. K.S.A. 2020 Supp. 16-303 is hereby repealed.

31 Sec. 3. This act shall take effect and be in force from and after its
32 publication in the statute book.