

As Amended by House Committee

Session of 2021

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~~ **increasing** the monetary cap on irrevocable  
3 agreements; amending K.S.A. 2020 Supp. 16-303 and repealing the  
4 existing section.  
5

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

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

16 (b) At the option of a purchaser, any installment contract may provide  
17 for additional payments by the purchaser for the cost of group credit life  
18 insurance at such rate as is approved ~~from time to time~~ by the  
19 ~~commissioner of insurance~~ ~~commissioner~~. In the event of the death of the  
20 purchaser, the proceeds shall be treated as funds in accordance with K.S.A.  
21 16-304, and amendments thereto.

22 (c) At the option of the purchaser, such agreement, contract or plan  
23 may be made irrevocable ~~as to the retail price of a casket, urn and outside~~  
24 ~~burial container and as to the first \$7,000 of funds paid~~ **as to the retail**  
25 **price of a casket, urn and outside burial container and as to the first**  
26 **\$10,000 of funds paid** and set aside at the direction of the purchaser. Any  
27 interest and earnings accumulated under the agreement, contract or plan  
28 may also be irrevocable. ~~This~~ *Such* option shall not prohibit the purchaser  
29 ~~to designate~~ *from designating* a different funeral home at any time prior to  
30 death; after written notice to the current funeral home, and, upon such  
31 notification, all documents and funds shall be transferred as necessary.

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 K.S.A. 2020 Supp. 16-303 is hereby repealed.

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