

Date: 2-28-2012

From: Lance Fullerton, President  
Kansas Auctioneers Association  
912 Country Lane  
Newton, KS 67114

To: The Honorable Tim Owens, Chairperson  
Senate Committee on Judiciary  
Statehouse, Room 559-S  
Topeka, Kansas 66612

RE: House Bill No. 2629

Please accept this letter in support of HB 2629 which would amend the Kansas Product Liability Act. The Kansas Auctioneers Association believes it is in the best interest of our membership and the public to codify in statute liability exemptions for certain sellers of used products.

As auctioneers a large percentage of products sold are used items. In most cases, the items are brought to the sale by the owners of the products and the auctioneer simply transfers ownership of the products to the buyer.

The suggested amendment to the Kansas Product Liability Act would provide protection for claims arising out of intentional misrepresentation, an alleged breach of an express or implied warranty, or intentional concealment or nondisclosure of a condition known to the seller, while not imposing undue liability to others.

We are in support of this bill and would urge that it be passed as presented.

Respectfully submitted,

Lance Fullerton  
President  
Kansas Auctioneers Association