

2012 Kansas Statutes

60-3805. Same; reduction of the judgment. (a) The amount of the judgment shall be reduced by the court by the amount of net collateral source benefits received, or reasonably expected to be received in the future but only to the extent that such benefits exceed the aggregate amount by which:

- (1) Such judgment was reduced pursuant to subsection (a) of K.S.A. 60-258a and amendments thereto;
 - (2) the claimant's ability to recover such judgment was limited by the application of subsections (c) and (d) of K.S.A. 60-258a and amendments thereto, other than by virtue of claimant's settlement with or decision not to assert a legally enforceable claim against a named or an unnamed party;
 - (3) the amount to which the claimant's ability to recover such judgment was limited by the insolvency or bankruptcy of a person; and
 - (4) the award of damages has been reduced because of a statutory limit upon the recovery of damages.
- (b) If there is no amount falling within subsections (a)(1) through (a)(4) then the court shall reduce the judgment by the full amount of the net collateral source benefits.

History: L. 1988, ch. 222, § 5; July 1.