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**MEMORANDUM**

To: Chairman Longbine and members of the Special Committee on Financial Institutions and Insurance

From: David Wiese, Assistant Revisor

Date: October 11, 2017

Subject: HB 2104; Motor vehicle liability insurance; amending uninsured motorist coverage provision requirements and increasing the minimum policy limit for bodily injury.

House Bill No. 2104 concerns two changes to motor vehicle liability insurance: amending uninsured motorist coverage provision requirements and increasing the minimum policy limit for bodily injury.

Section 1 amends K.S.A. 40-284, part of the uninsured motorist coverage and underinsured motorist coverage statutes. The bill provides that any automobile liability insurance policy covering liability that is renewed, delivered or issued for delivery in this state on or after January 1, 2018, shall contain a provision with coverage limits equal to the limits of liability coverage for bodily injury or death in such automobile liability insurance policy sold to the named insured for payment of damages from the uninsured owner or operator of a motor vehicle. The bill also provides that any uninsured motorist coverage shall include an underinsured motorist provision with coverage limits equal to the limits of liability provided by such uninsured motorist coverage. Finally, the bill provides that the amount of available underinsured motorist coverage shall not be reduced because of any payment by or on behalf of the owner or operator of the other motor vehicle or any third party.

Section 2 amends K.S.A. 40-3107, part of the Kansas automobile injury reparations act. This statute provides requirements for every policy of motor vehicle liability insurance issued or renewed by an insurer to an owner residing in this state, and subsection (e) provides the mandatory minimum motor vehicle liability policy limits. In 2016, the Legislature increased the

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minimum limit for property loss from \$10,000 to \$25,000. The bill would increase the minimum limits for bodily injury or death of one person from \$25,000 to \$50,000, and the limits for two or more persons from \$50,000 to \$100,000, on and after January 1, 2018.

The House Insurance Committee held hearings on the bill February 7, 9 and 14, 2017. No action on the bill has been taken by the committee.