

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

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**MEMORANDUM**

To: Chairman Johnson and the House Committee on Insurance and Pensions  
From: Office of Revisor of Statutes  
Date: January 31, 2022  
Subject: **Bill Brief for HB 2564 – Updating the version of risk-based capital instructions in effect.**

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HB 2564 the annual date change bill and amends K.S.A. 40-2c01.

Each year, the NAIC promulgates a set of instructions with which insurers use to file their annual risk-based capital report that is filed with the Commissioner and with the NAIC itself. Rather than simply adopting those instructions, which would be an unlawful delegation of legislative authority, the Insurance Department brings this bill to amend the date of the risk-based capital instructions in effect.

Annually, the effective date of the instructions changes to the last day of the preceding year. You can see that amendment on page 2, line 2 of the bill where the year changes from 2020 to 2021.