

KANSAS OFFICE of  
**REVISOR of STATUTES**

LEGISLATURE of THE STATE of KANSAS  
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**MEMORANDUM**

To: Senate Committee on Financial Institutions and Insurance

From: Office of Revisor of Statutes

Date: March 2, 2022

Subject: **HB 2564 – Updating the version of risk-based capital instructions in effect.**

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HB 2564 is the House version of SB 329. The bill was passed by the House Committee of the Whole on February 15, 2022 and referred to this committee on February 16, 2022.

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.