

SENATE BILL No. 290

By Committee on Financial Institutions and Insurance

1-22

1 AN ACT concerning certain state officers; pertaining to the securities
2 commissioner and the commissioner of insurance; updating the
3 appointment and removal authority; amending K.S.A. 75-6301 and
4 repealing the existing section.
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6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 75-6301 is hereby amended to read as follows: 75-
8 6301. (a) There is hereby established under the jurisdiction of the
9 commissioner of insurance a division to be known as the office of the
10 securities commissioner of Kansas. The office shall be administered by the
11 securities commissioner of Kansas who shall be in the unclassified service
12 under the Kansas civil service act. The securities commissioner shall be
13 appointed by the commissioner of insurance; *and be* subject to
14 confirmation by the senate as provided in K.S.A. 75-4315b, and
15 amendments thereto; *The securities commissioner* shall have special
16 training and qualifications for such position ~~and~~, shall receive such
17 compensation as may be fixed by the commissioner of insurance. ~~The~~
18 ~~commissioner of insurance may remove the securities commissioner for~~
19 ~~official misconduct and shall serve at the pleasure of the commissioner of~~
20 ~~insurance.~~ Except as provided by subsection (b) and K.S.A. 46-2601, and
21 amendments thereto, no person appointed as securities commissioner shall
22 exercise any power, duty or function as securities commissioner until
23 confirmed by the senate.

24 ~~(b) (1) The insurance commissioner shall appoint a person as~~
25 ~~securities commissioner no later than September 1, 2017, subject to~~
26 ~~confirmation by the senate as provided in K.S.A. 75-4315b, and~~
27 ~~amendments thereto, to serve an initial term ending on January 14, 2019.~~
28 ~~Upon the expiration of the initial term under this section, and upon the~~
29 ~~expiration of each term thereafter, the commissioner of insurance shall~~
30 ~~appoint a person as securities commissioner, subject to confirmation by the~~
31 ~~senate as provided in K.S.A. 75-4315b, and amendments thereto, to serve~~
32 ~~a four-year term running concurrently with the term of such commissioner~~
33 ~~of insurance as provided by K.S.A. 40-106, and amendments thereto.~~
34 ~~Upon occurrence of a vacancy in the office of securities commissioner, the~~
35 ~~commissioner of insurance shall appoint a successor. If the vacancy occurs~~
36 ~~before the expiration of a term of office, the appointment shall be for the~~

1 ~~unexpired term and shall be subject to confirmation by the senate as~~
2 ~~provided in K.S.A. 75-4315b, and amendments thereto.~~

3 (2) The securities commissioner shall devote full time to the
4 performance of the duties of the office of the securities commissioner.

5 (c) The securities commissioner may appoint directors and other
6 employees within the office of the securities commissioner as determined
7 necessary by the securities commissioner to effectively carry out the
8 mission of the office. All directors appointed after the effective date of this
9 act shall be in the unclassified service under the Kansas civil service act,
10 shall have special training and qualifications for such positions, shall serve
11 at the pleasure of the securities commissioner and shall receive
12 compensation fixed by the securities commissioner and approved by the
13 commissioner of insurance.

14 (d) Nothing in subsection (c) shall affect the classified status of any
15 person employed in the office of the securities commissioner on the day
16 immediately preceding the effective date of this act. The provisions of this
17 subsection shall not be construed to limit the powers of the securities
18 commissioner pursuant to K.S.A. 75-2948, and amendments thereto.

19 (e) The office of the securities commissioner of Kansas shall
20 cooperate with the insurance department to consolidate administrative
21 functions and cross-appoint such employees as deemed necessary to
22 provide efficiency. The commissioner of insurance and the securities
23 commissioner are hereby authorized to enter into agreements and adopt
24 rules and regulations as necessary to administer the provisions of this
25 subsection.

26 Sec. 2. K.S.A. 75-6301 is hereby repealed.

27 Sec. 3. This act shall take effect and be in force from and after its
28 publication in the statute book.