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# Sneed Law Firm, LLC

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## Memorandum

To: The Honorable Jeff Longbine, Chair  
Senate Insurance Committee

From: William W. Sneed, Legislative Counsel  
America's Health Insurance Plans

Date: February 4, 2021

RE: SB 78

Mr. Chair, Members of the Committee: My name is Bill Sneed and I am a Kansas attorney that practices insurance law. I regularly appear before the Kansas Insurance Department. Please accept this memorandum as my neutral testimony regarding SB 78.

The language found on page 1, lines 25 -36, and page 2, lines 1 – 11 are taken from the Kansas Uniformed Securities Act found in Chapter 17, Article 12a. However, part of that statute was not included in SB 78. KSA 17-12a602(d) was not included.

(d) *Application for relief.* This section does not preclude a person from applying to any court of competent jurisdiction or a court of another state for relief from a request to appear, testify, file a statement, produce records, or obey a subpoena.

By the testimony of the Kansas Insurance Department in their companion bill in the House (HB 2136) they do not believe the reference needs to be included.

Although I understand their opinion, I must respectfully disagree.

If it is not necessary in their proposal, then why is it included in the Securities Act? This conflict might very well place this proposal in jeopardy. This language makes it clear that any entity has the ability to fight such administrative action.

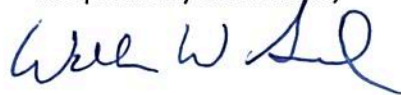
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Further, in their testimony at the House hearing on February 1, 2021, the Department stated they would have no objection to including the reference in their bill.

Thus, I would respectfully request that the above language be added to SB 78.

Thank you for your time and I will be available for questions at the appropriate time.

Respectfully submitted,



William W Sneed