

2021 Kansas Statutes

40-465. Same; application for approval of transfer of structured settlement payment rights; procedure.

(a) An application for approval of a transfer of structured settlement payment rights shall be made by the transferee and may be brought in:

- (1) The county in which the payee resides;
- (2) the county in which the structured settlement obligor or the annuity issuer maintains its principal place of business; or
- (3) any court or before any responsible administrative authority which approved the structured settlement agreement.

(b) The transferee shall file with the court or responsible administrative authority and serve on all interested parties a notice of the proposed transfer and the application for its authorization not less than 20 days prior to the scheduled hearing on any application for approval of a transfer of structured settlement payment rights under K.S.A. 40-463, and amendments thereto. Such notice shall include:

- (1) A copy of the transferee's application;
- (2) a copy of the transfer agreement;
- (3) a copy of the disclosure statement required under K.S.A. 40-462, and amendments thereto;
- (4) a listing of each of the payee's dependents, together with each dependent's age;
- (5) notification that any interested party is entitled to support, oppose or otherwise respond to the transferee's application, either in person or by counsel, by submitting written comments to the court or responsible administrative authority or by participating in the hearing; and
- (6) notification of the time and place of the hearing and notification of the manner in which and the time, which shall not be less than 15 days after service of the transferee's notice, by which written responses to the application must be filed in order to be considered by the court or responsible administrative authority.

History: L. 2005, ch. 57, § 5; July 1.