

## 2021 Kansas Statutes

74-5072. **Guarantees against commercial credit risks; approval of agreements; amount, limitations; effective period; conditions; priorities; application fee.** (a) Each agreement entered into by the secretary of commerce [and housing] to guarantee against commercial preexport and postexport commercial credit risks for a Kansas export transaction shall be backed by moneys credited to the Kansas export loan guarantee fund and shall receive prior approval by the Kansas export loan guarantee review committee. No agreement shall be executed guaranteeing any amount for a Kansas export transaction which together with all other such agreements in effect would guarantee an aggregate amount exceeding 400% of the moneys in the Kansas export loan guarantee fund on the date such agreement would otherwise become effective. No such agreement shall provide a guarantee for more than 90% of the loan financing of the Kansas export transaction, including the principal and any interest thereon, or shall cover the loan financing in an amount exceeding 50% of the balance in the Kansas export loan guarantee fund on the date such guarantee is approved, including the principal and any interest thereon, for any individual Kansas export transaction. The remaining credit risk for any such loan financing may be covered by a financial institution providing the loan or by other appropriate entities.

(b) No guarantee may be provided under this section for a period of more than one calendar year. No guarantee may be provided under this section for a Kansas export transaction unless the loan financing therefor is provided entirely by one or more Kansas financial institutions, except that the loan financing or any part thereof may be provided by other financial institutions upon a finding by the Kansas export loan guarantee review committee that funding by one or more Kansas financial institutions cannot reasonably be obtained. Priority shall be accorded for guarantees of Kansas export transactions of companies which have not previously engaged in exporting activities or companies which intend to substantially expand exporting activities.

(c) The secretary of commerce [and housing] shall charge and collect a Kansas export loan financing guarantee application fee in an amount not less than \$100 in addition to a fee in an amount equal to 1/2 of 1% per annum of the amount guaranteed for each guarantee provided under this section.

**History:** L. 1989, ch. 251, § 4; L. 1994, ch. 123, § 1; July 1.