

SENATE BILL No. 176

By Committee on Commerce

2-9

1 AN ACT concerning home inspectors; enacting the Kansas home
2 inspectors professional competency and financial responsibility act;
3 creating a home inspector registry; establishing the home inspectors
4 registration fee fund.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. This act shall be known and may be cited as the Kansas
8 home inspectors professional competency and financial responsibility act.

9 Sec. 2. As used in sections 1 through 18, and amendments thereto:

10 (a) "Act" means the Kansas home inspectors professional competency
11 and financial responsibility act.

12 (b) "Applicant" means an individual who is applying for registration
13 or registration renewal under this act.

14 (c) "Advisory council" means the Kansas home inspectors advisory
15 council established to assist the attorney general on matters administering
16 this act.

17 (d) "Attorney general" means the attorney general of the state of
18 Kansas or the attorney general's designee.

19 (e) (1) "Home inspection" means a non-invasive limited visual
20 examination of a residential dwelling in anticipation of a transfer of
21 ownership of not more than four attached units, designed to identify
22 material defects at the time of the inspection of four or more of the
23 following readily accessible separate systems and components:

24 (A) Heating systems;

25 (B) cooling systems;

26 (C) electrical systems;

27 (D) plumbing systems;

28 (E) structural components;

29 (F) foundations;

30 (G) roof coverings;

31 (H) exterior and interior components; and

32 (I) any other components and systems that are part of the residential
33 dwelling and included within the standards of practice followed by the
34 home inspector.

35 (2) The term "home inspection" includes residential property
36 inspections represented to be a home inspection but described using

1 different or similar terms.

2 (3) The term "home inspection," except as otherwise agreed to or
3 otherwise required by the standards of practice referenced in the inspection
4 agreement, does not include:

5 (A) A compliance inspection for any code or governmental
6 regulation;

7 (B) an examination for the conditions and operation of kitchen-type
8 appliances, on-site water supplies or wells, private waste systems, the
9 determination of the presence of wood-destroying organisms or pests, or
10 the presence of fungi, mold, bacteria, asbestos, lead-based paint, gases or
11 conditions of air quality; and

12 (C) an examination and evaluation of only three or fewer of the
13 systems or components and related systems or components listed in
14 subsection (e)(1).

15 (f) "Home inspection report" means a written or verbal report on the
16 results of a home inspection that meets all requirements as set forth within
17 the standards of practice stated in the inspection agreement and includes
18 the name of the inspection company, name of the inspector conducting the
19 inspection, the inspector's registration number and the inspection
20 company's contact information.

21 (g) "Home inspector" means an individual who performs a home
22 inspection as defined in this act.

23 (h) "Registrant" means any person registered as a home inspector
24 under this act.

25 (i) "Material defect" means any condition that significantly affects the
26 value in the opinion of the inspector, habitability or safety of the dwelling,
27 except that, cosmetic defects or aesthetics shall not be used in determining
28 whether a system, structure or component is materially defective.

29 (j) "Inspection agreement" means the agreement for a home
30 inspection between the home inspector and the client and contains, at a
31 minimum, the following information:

32 (1) Description of the scope of the home inspection;

33 (2) limitation of liability of the home inspector for any errors or
34 omissions that may arise during the home inspection; and

35 (3) identification of the standards of practice the home inspector will
36 follow when conducting the home inspection.

37 (k) "National" or "Nationally recognized" associations, means
38 industry, trade or professional member organizations as approved by the
39 attorney general pursuant to rules and regulations that shall be adopted by
40 the attorney general.

41 (l) "Readily accessible" means available for visual inspection without
42 requiring the moving of personal property, dismantling, use of destructive
43 measures or actions that would likely involve risk to persons or property.

1 Sec. 3. (a) No person, unless otherwise exempt by this act, shall
2 engage in the business of or act in the capacity of a home inspector within
3 the state of Kansas without having properly registered as required by this
4 act.

5 (b) (1) Any person, unless otherwise exempt by this act, who fails to
6 register prior to acting as a home inspector as defined in this act, shall be
7 liable for a civil penalty as provided in K.S.A. 50-636(a), and amendments
8 thereto, in addition to any other relief that may be granted or other penalty
9 prescribed by law. The grant of powers to the attorney general in this act
10 does not affect remedies available to consumers under other principles of
11 law or equity.

12 (2) Any person who acts as a home inspector while such person's
13 registration is suspended or revoked shall be liable for a civil penalty as
14 provided in K.S.A. 50-636(a), and amendments thereto, in addition to any
15 other relief that may be granted or other penalty prescribed by law.

16 Sec. 4. (a) There is hereby established the Kansas home inspectors'
17 advisory council. The purpose of the council is to assist and advise the
18 attorney general on matters related to industry standards, education, testing
19 requirements of applicants and rules and regulations.

20 (b) The advisory council shall consist of seven members to be
21 appointed by the attorney general as follows:

22 (1) Six members who are active and registered Kansas home
23 inspectors as follows:

24 (A) Two members nominated to serve by a Kansas chapter of the
25 American society of home inspectors;

26 (B) two members nominated to serve by a Kansas chapter of the
27 international association of certified home inspectors;

28 (C) one having no affiliation with a national home inspection
29 association. If no such candidate can be identified, the attorney general
30 shall appoint an active and registered Kansas home inspector; and

31 (D) one nominated by and having affiliation with either the Kansas
32 society of professional engineers or the Kansas chapter of the American
33 institute of architects; and

34 (2) one Kansas resident shall be an at-large member who is
35 completely unaffiliated to the real estate inspection, sale or finance
36 industries.

37 (c) Home inspector advisory council members shall have at least
38 three years' experience and have completed at least 500 fee-paid home
39 inspections. This provision shall not apply to the home inspector advisory
40 council member appointed as an at-large member.

41 (d) When applicable, the attorney general shall give preference to
42 appointing an at-large member from a congressional district without other
43 representation on the council.

1 (e) The attorney general shall give consideration to proportionately
2 represent associations with memberships in Kansas to not give any one
3 national association a numerical advantage.

4 (f) All members shall be appointed to two-year terms with a limit of
5 two consecutive terms and shall serve not more than six terms.

6 (g) The council shall meet as requested by the attorney general.

7 (i) Members of the council shall be paid subsistence allowances,
8 mileage and other expenses as provided in K.S.A. 75-3223, and
9 amendments thereto, from the home inspectors registration fee fund or
10 other available and appropriate funds by the attorney general.

11 Sec. 5. The attorney general shall have the following duties and
12 powers under this act:

13 (a) Administer and enforce the provisions of the act;

14 (b) register qualified applicants as home inspectors pursuant to the
15 act;

16 (c) create any forms necessary for the administration of this act;

17 (d) create, or authorize others to create, and implement provisions of
18 this act through use of the internet or other technology as deemed
19 necessary or appropriate. The attorney general shall establish an online
20 system for the public to confirm registration of home inspectors. Such
21 system shall include a listing of valid registrations and such other
22 information collected pursuant to this act as the attorney general may
23 determine is appropriate;

24 (e) conduct all necessary investigations into the qualifications of or
25 allegations of misconduct against an applicant or registrant. In connection
26 with any investigation, the attorney general or its duly authorized agents or
27 employees shall, at all reasonable times, have access and the right to
28 examine and copy any document, report, record or other physical evidence
29 of any registered home inspector or any document, report, record or other
30 evidence maintained by and in the possession of any registered home
31 inspector;

32 (f) require the attendance and testimony of any registered home
33 inspector or the production for examination or copying of documents or
34 any other physical evidence, if such evidence relates to qualifications for
35 registration or allegation of misconduct of an applicant or registrant;

36 (g) set standards and approve examinations to determine the
37 qualifications of applicants for registration or registration renewal;

38 (h) establish reciprocity guidelines and set fees for licensed inspectors
39 from other jurisdictions; and

40 (i) adopt any rules and regulations necessary to carry out the
41 provisions of the act.

42 Sec. 6. (a) All applications for registration and renewal shall include a
43 question requiring the applicant to answer under oath whether or not the

1 applicant has been convicted of a felony offense in this state, another state
2 or any other jurisdiction and the nature of the offense.

3 (b) All applications for registration and renewal shall include a
4 question requiring the applicant to answer under oath whether or not the
5 applicant has ever applied for or held a home inspector registration under a
6 different name and whether that applicant's registration has ever been
7 suspended or revoked.

8 (c) When deemed appropriate, the attorney general may conduct a
9 criminal history records search or background check on any applicant or
10 registered home inspector and may investigate the information submitted
11 on an application or renewal form, provided no adverse action may be
12 taken against the person until the person has been notified and given an
13 opportunity to respond in writing.

14 Sec. 7. (a) The attorney general may deny, suspend or revoke a
15 registration, or may impose probationary conditions on a registrant or
16 applicant, if the registrant or applicant has engaged in any of the following
17 conduct:

18 (1) Made a materially false or fraudulent statement in an application
19 for registration or registration renewal;

20 (2) intentionally falsified a home inspection report;

21 (3) performed any of the following acts as part of a home inspection:

22 (A) Inspect, for a fee, any property in which the home inspector, or
23 home inspector's employer, has any personal or financial interest, unless
24 the interest is disclosed in writing to the client before the home inspection
25 is performed and the client signs an acknowledgment of receipt of the
26 disclosure;

27 (B) offer or deliver an inducement of anything of value, including
28 commission, referral fee or any portion of an inspection fee for the referral
29 of any business to the home inspector without the consent of the client; or

30 (C) accept an engagement to perform a home inspection or to prepare
31 a home inspection report in which the employment itself or the fee payable
32 for the inspection is contingent upon the conclusions of the home
33 inspection report, preestablished or prescribed findings or the closing of an
34 underlying real estate transaction;

35 (4) include as a term or condition, in an agreement to conduct a home
36 inspection, any provision that disclaims or limits the liability of the
37 registered home inspector to less than \$2,000 in the aggregate for each
38 home inspection;

39 (5) fail to make a reasonable effort to provide, when possible, an
40 inspection agreement to a client. Inspections completed for a bank,
41 financial institution, relocation company or other entity that is purchasing
42 the home as part of a relocation, foreclosure or commercial investment
43 may forgo the requirement for the inspection agreement, provided that, the

1 inspection report clearly states in bold size, 14-point font or larger type
2 that: "This inspection report was created for the exclusive use of a
3 commercial client and its findings should not be used or relied upon by
4 individuals purchasing the property";

5 (6) fail to identify and substantially follow standards of practice and
6 code of ethics as specified in the inspection agreement;

7 (7) fail to submit evidence, satisfactory to the attorney general, of
8 completion of not less than 16 hours of continuing education, approved by
9 the attorney general within the 24 months immediately preceding
10 registration renewal;

11 (8) fail to respond, as requested by the attorney general, to any
12 summons for attendance and testimony or to produce documents or any
13 other physical evidence during an investigation into the qualifications of or
14 allegations of misconduct of an applicant or registrant; and

15 (9) within the immediately preceding previous five years, be
16 convicted, pled guilty or pled nolo contendere for any felony under Kansas
17 law or other jurisdiction that constitutes a felony under Kansas law;

18 (10) within the immediately preceding previous 15 years be
19 convicted, pled guilty or pled nolo contendere for:

20 (A) an offense under Kansas law that requires the offender to register
21 pursuant to the Kansas offender registration act; or

22 (B) any offense under the law of another jurisdiction that requires
23 registration of the offender under the law of the other jurisdiction, or that
24 would constitute an offense under Kansas law that upon conviction
25 requires the offender to register pursuant to the Kansas offender
26 registration act; or

27 (11) violate any provision of the act or the rules and regulations
28 adopted by the attorney general pursuant to this act.

29 (b) Any proceedings pursuant to this section shall be conducted in
30 accordance with the provisions of the Kansas administrative procedure act.
31 Persons aggrieved by a final decision or order of the attorney general may
32 appeal pursuant to the provisions of the Kansas judicial review act.

33 Sec. 8. (a) The attorney general shall set reasonable fees as provided
34 for by this act that shall not exceed:

35 (1) Application for an original registration, \$200;

36 (2) biannual renewal of registration, \$200;

37 (3) late renewal; additional amount not to exceed \$50;

38 (4) reinstatement of expired or revoked registration, \$300;

39 (5) duplicate copy of a license registration certificate, \$25; and

40 (6) inactive status, \$50.

41 Sec. 9. (a) Whenever any person has engaged in any act or practice
42 that constitutes a violation of this act or the rules and regulations adopted
43 pursuant to this act, the attorney general may institute an action in the

1 district court of the county in which the person resides or in the district
2 court in the county in which such act or practice occurred for an injunction
3 to enforce compliance with this act or the rules and regulations adopted
4 pursuant to this act. The attorney general shall not be required to give any
5 bond or pay any filing fee for initiating the action. Upon a showing that the
6 person has engaged in any act or practice in violation of this act or the
7 rules and regulations adopted pursuant to this act, the court may enjoin
8 such acts or practices and may make any orders necessary to conserve,
9 protect and disburse any funds involved.

10 (b) The attorney general may hire independent counsel. All fees and
11 expenses, when possible, shall be paid out of the home inspectors
12 registration fee fund.

13 Sec. 10. The attorney general shall remit all moneys received from
14 fees, charges or penalties to the state treasurer in accordance with the
15 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
16 each such remittance, the state treasurer shall deposit the entire amount in
17 the state treasury to the credit of the home inspectors registration fee fund,
18 which is hereby established. All expenditures from the home inspectors
19 registration fee fund shall be made in accordance with appropriation acts
20 upon warrants of the director of accounts and reports issued pursuant to
21 vouchers approved by the attorney general or persons designated by the
22 attorney general.

23 Sec. 11. (a) On and after January 1, 2022, any individual performing
24 home inspections as defined in this act shall hold a current and valid
25 registration issued under the provisions of this act, and meet the following
26 requirements:

27 (1) Be at least 18 years of age;

28 (2) have general liability insurance coverage in an amount of
29 \$250,000 or more;

30 (3) maintain proof of financial responsibility by securing one of the
31 following:

32 (A) A policy of errors and omissions insurance coverage of no less
33 than \$10,000;

34 (B) a surety bond in an amount not less than \$10,000. Such bond
35 shall be issued by a corporate surety authorized to do business in this state.
36 The surety bond shall state the effective date and the expiration date, if
37 available. The applicant shall be named as principal. The bond shall be to
38 the state of Kansas and shall be conditioned upon the applicant faithfully
39 performing all contracts entered into by the applicant, complying with all
40 provisions of this act and following all rules and regulations adopted
41 pursuant to this act. Regardless of the number of claims made against the
42 bond or the number of years the bond remains in force, the aggregate
43 liability of the surety shall in no event exceed the amount of the bond. The

1 bond may be terminated at any time by the surety upon sending 30 days'
2 notice in writing to the principal, the obligee and the attorney general;

3 (C) an irrevocable letter of credit not less than \$10,000, issued by a
4 bank that is insured by the federal deposit insurance corporation or its
5 successor, initially issued for a term of at least one year and that by its
6 terms is automatically renewed at each expiration date for at least an
7 additional one-year term, unless at least 30 days prior written notice of
8 intention not to renew is provided to the attorney general; or

9 (D) proof of the maintenance of a minimum balance of \$10,000 in an
10 escrow account in a Kansas financial institution, as defined in K.S.A. 16-
11 117, and amendments thereto, except that the escrow account shall
12 maintain the minimum balance through the term of the registrant's
13 registration. The attorney general shall be notified in writing by the
14 financial institution within 10 days if the amount in the escrow account
15 falls below the \$10,000 minimum balance. Upon notification, the home
16 inspector registration shall be suspended until the escrow account
17 minimum balance is restored to \$10,000 or the registrant otherwise meets
18 the minimum financial obligations of this act;

19 (4) submit evidence, satisfactory to the attorney general, of meeting
20 the requirements of section 12, and amendments thereto.

21 Sec. 12. (a) Applicants previously licensed by the state of Kansas as a
22 home inspector under the provisions of K.S.A. 58-4501 through 58-4514,
23 prior to their expiration, shall be determined to have met all testing and
24 education requirements of this act, if they have been actively engaged in
25 the practice of conducting home inspections for at least two of previous
26 three years immediately prior to the license application date.

27 (b) (1) Applicants not previously registered under K.S.A. 58-4501
28 and 58-4514, but have been actively and continually engaged in the
29 practice of conducting home inspections for not less than two years prior
30 to the license application date and have completed no fewer than 200 fee-
31 paid home inspections shall be determined to have met the education and
32 testing requirements of this section.

33 (2) Applicants who were not previously licensed and fail to meet the
34 work and experience requirements of paragraph (1) shall successfully
35 complete a proctored nationally recognized home inspector examination as
36 approved by the attorney general on home or building components,
37 inspections or codes. The exam may have been taken and passed prior to
38 the date of this act. In addition, such applicants shall:

39 (A) Submit evidence of successfully completing an approved course
40 of study not less than 120 hours of instruction, approved by the attorney
41 general, consisting of no more than 60 hours of distance education
42 provided online or in other computer-assisted formats or by
43 correspondence, audiotape, videotape or other media. For the purposes of

1 this section, attendance of one hour of instruction means 50 minutes of
2 classroom instruction or the equivalent thereof in distance education study
3 as determined by the attorney general. In addition to meeting the hours of
4 instruction, applicants shall provide evidence of completion of 20
5 supervised inspections conducted under an approved supervising
6 registered home inspector who has been in the business at least five years
7 and completed at least 1,000 fee-paid inspections.

8 (B) Submit evidence of successfully completing an approved course
9 of study of not less than 40 hours of classroom instruction, approved by
10 the attorney general and assist in a minimum of 80 supervised inspections
11 conducted under a supervising registered home inspector who has been in
12 the business at least five years and completed at least 1,000 fee-paid
13 inspections.

14 (c) The training described in subsection (b) shall be approved by one
15 of the following:

- 16 (1) American society of home inspectors;
- 17 (2) international code council;
- 18 (3) international association of certified home inspectors; or
- 19 (4) a recognized home inspector education and training program
20 approved by the attorney general.

21 (d) An applicant completing supervised inspections, as required in
22 subsection (b), shall retain a written log of supervised inspections for three
23 years from the date of the inspection.

24 (e) An applicant shall retain certificates of completion or other proof
25 that the applicant has met the experience, educational and testing
26 requirements for a period not less than three years from initial application.

27 (f) An applicant shall retain a copy of each of the following
28 documents for each home inspection performed by or at the direction of
29 the home inspector for a period of two years from the date of the
30 inspection:

- 31 (1) The home inspection agreement;
- 32 (2) the home inspection report; and
- 33 (3) any other information prescribed by the rules and regulations
34 adopted pursuant to this act.

35 (g) Registration expiration and renewal dates shall be established on a
36 biennial basis by the attorney general by rules and regulations that shall be
37 adopted pursuant to this act. A registrant that has not renewed the
38 registrant's registration by the expiration date may not conduct home
39 inspections until the registration is renewed.

40 (h) The attorney general may grant inactive status to a registrant who
41 meets all the requirements for renewal except for completion of continuing
42 education upon written request of the registrant and the payment of an
43 inactive status fee not to exceed \$50. A registrant whose registration is

1 inactive shall not conduct home inspections during the time the
2 registration is in inactive status.

3 (i) The attorney general may reinstate a registration that has been
4 expired or revoked upon application on a form provided by the attorney
5 general and payment of any required fees. The attorney general may
6 establish standards for reinstatement, including a requirement that an
7 applicant whose registration was revoked or that has been expired for more
8 than one year successfully completes an approved examination and meets
9 their minimum continuing education requirements.

10 Sec. 13. This act shall apply to all individuals who conduct home
11 inspections for compensation but shall not apply to the following
12 individuals who are exempted from the provisions of this act:

13 (a) A tradesman or contractor performing an evaluation and licensed
14 by a federal, state, local governmental agency or a political subdivision
15 thereof while acting within the scope of that occupation and license;

16 (b) an individual employed by a federal, state or local governmental
17 agency or a political subdivision thereof who, within the scope of such
18 employment and in the discharge of such public duties, inspects property
19 or buildings for compliance with requirements safeguarding life, health or
20 property or administration of government programs;

21 (c) an individual licensed by the state of Kansas as an architect while
22 acting within the scope of that license;

23 (d) an individual licensed by the state of Kansas as a professional
24 engineer while acting within the scope of that license;

25 (e) an individual licensed by the state of Kansas as a real estate
26 appraiser while acting within the scope of that license;

27 (f) an individual licensed by the state of Kansas as a real estate broker
28 or salesperson while acting within the scope of that license;

29 (g) an individual employed as an insurance adjuster while acting
30 within the scope of that occupation;

31 (h) an individual licensed as a manufactured home manufacturer
32 while acting within the scope of that license;

33 (i) an individual employed by a manufactured home manufacturer
34 while acting within the scope of that occupation;

35 (j) a modular home manufacturer or modular home manufacturer's
36 representative reviewing a residential dwelling built by the manufacturer
37 for the purpose of evaluating the residential dwelling;

38 (k) an individual licensed as a manufactured home dealer while acting
39 within the scope of that license;

40 (l) an individual employed as a manufactured home installer while
41 acting within the scope of that occupation;

42 (m) an individual licensed by the state of Kansas as an insurance
43 agent while acting within the scope of that license;

1 (n) a homebuilder or homebuilder's representative reviewing a
2 residential dwelling built by the homebuilder for the purpose of evaluating
3 the residential dwelling;

4 (o) an individual providing services as a pest exterminator or
5 chemical applicator while acting within the scope of that occupation and
6 not providing services that would constitute a home inspection under this
7 act;

8 (p) an individual certified or approved by federal housing
9 administration or the veterans administration while consulting or
10 performing compliance or rehabilitation reviews for work required or
11 needed to conform to either United States department of housing and
12 urban development, veterans administration, fannie mae or other minimum
13 property standards to meet loan requirements;

14 (q) an individual conducting a weatherization pre-inspection or post-
15 inspection under the Kansas weatherization program, provided that the
16 individual meets the certification requirements for weatherization
17 inspectors set forth by the United States department of energy; and

18 (r) an individual who is not registered as a home inspector when
19 assisting a registered home inspector in the performance of an inspection,
20 except that the person shall be supervised at the inspection site by a
21 registered home inspector, and any home inspection report rendered in
22 connection with the home inspection shall not be signed by such
23 individual.

24 Sec. 14. Unless otherwise exempted under section 13, and
25 amendments thereto, or section 15, and amendments thereto, it shall be
26 unlawful for an individual to perform a home inspection as defined in
27 section 2, and amendments thereto, without being registered under the
28 Kansas home inspectors professional competency and financial
29 responsibility act. Violation of this section shall be a class C nonperson
30 misdemeanor.

31 Sec. 15. (a) Individuals licensed by the state of Kansas as an architect
32 or professional engineer as defined in K.S.A. 74-7003 and amendments
33 thereto, may register as a home inspector if performing the duties of a
34 home inspector but shall not be required to meet the requirements of
35 sections 11 and 12, and amendments thereto.

36 (b) All complaints against a licensed architect or professional
37 engineer, as defined by K.S.A. 74-7003 and amendments thereto, received
38 by the attorney general pursuant to this act shall be referred to the Kansas
39 board of technical professions for investigation.

40 Sec. 16. (a) It is the duty of all home inspectors registered under this
41 act to conduct home inspections with the degree of care that a reasonably
42 prudent home inspector would exercise under the circumstances.

43 (b) All home inspections shall be conducted according to a standard

1 of practice and a code of ethics as identified in the inspection agreement.

2 (c) All home inspectors shall perform a home inspection in
3 accordance with one of the following standards of practice:

4 (1) American society of home inspectors;

5 (2) international association of certified home inspectors;

6 (3) national academy of building inspection engineers; or

7 (4) any other recognized standard of practice approved by the
8 attorney general after consultation with the advisory council.

9 (d) No registered home inspector may include, as a term or condition
10 in an agreement to conduct a home inspection, any provision that
11 disclaims the liability for any errors and omissions that may arise during a
12 home inspection, or limits the amount of damages for liability for any
13 errors and omissions that may arise during a home inspection to less than
14 \$2,000 in the aggregate for each home inspection. Any term or condition
15 or limitation setting the amount of damages for liability for any errors and
16 omissions that may arise during a home inspection at an amount greater
17 than \$2,000 shall be provided to the customer in writing to be in effect.

18 (e) An action to recover damages for any act or omission of a
19 registered home inspector relating to a home inspection or a home
20 inspection report shall be brought not more than 12 months from the date
21 the home inspection was performed and may be initiated only by the client
22 for whom the home inspection or the home inspection report was made.

23 (f) In any action to recover damages for any error or omission of a
24 registered home inspector relating to a home inspection or home
25 inspection report, a registered home inspector is liable for any errors and
26 omissions that may arise during a home inspection in an amount not to
27 exceed \$2,000 in the aggregate for each home inspection. A registered
28 home inspector shall be liable in the amount in the inspection agreement to
29 conduct a home inspection, if greater than \$2,000 in the aggregate for each
30 home inspection, provided that a registered home inspector provides for
31 the client with a clear written description in the inspection agreement of
32 any greater limitations on the liability of the licensed home inspector for
33 any errors and omissions that may arise during the home inspection.

34 Sec. 17. (a) No individual, except an individual licensed by the state
35 of Kansas as an architect or professional engineer as defined in K.S.A. 74-
36 7003, and amendments thereto, shall present themselves as a Kansas
37 registered home inspector unless the individual has complied with the
38 provisions of this act. This requirement in no other way limits or infringes
39 upon exempt licensed architects and professional engineers from the
40 practice of home inspections as within the scope or as authorized by their
41 professional license.

42 (b) All agreements, contracts and reports prepared by an individual
43 performing home inspections under this act shall contain the home

1 inspector's registration number, name of the home inspector, name of the
2 home inspector's company and contact information.

3 Sec. 18. The provisions of this act shall expire on July 1, 2027.

4 Sec. 19. This act shall take effect and be in force from and after its
5 publication in the statute book.