

Kansas Administrative Regulations

Kansas Department of Insurance

Article 3.—Fire and Casualty Insurance

40-3-40. Fire and casualty insurance; unfair rate discrimination; certain acts and practices included.

(a) Unfair rate discrimination practices between individuals of the same rating class, as prohibited by K.S.A. 40-953 and amendments thereto, shall include the following:

- (1) Refusing to insure;
- (2) refusing to continue to insure;
- (3) limiting the amount, extent, or kind of coverage available to an individual; and
- (4) charging an individual a different rate for the same coverage solely because of the geographic location of the risk.

(b) When an act or practice is permitted by rate filings in accordance with K.S.A. 40-955 and amendments thereto, the provisions of subsection (a) shall not apply.

(Authorized by K.S.A. 40-103 and 40-961; implementing K.S.A. 40-953; effective May 1, 1979; amended May 1, 1986; amended March 17, 2006.)

***** Authenticated Kansas Administrative Regulation *****