

Kansas Administrative Regulations

Kansas Department of Insurance

Article 3.—Fire and Casualty Insurance

40-3-16. Fire and casualty insurance policies and applications; "warranties" prohibited.

(a) As used in this regulation, the word "warranty" means a promise that certain facts are truly as they are represented to be and that they will remain so, subject to any specified limitations.

(b) Companies writing fire or casualty insurance, or both, shall not require their Kansas insureds or applicants to make a "warranty," either expressed or implied, of any fact or allegation, either in the application for an insurance policy or in the policy provisions.

(c) The word "representations" or words of similar import shall not be prohibited, nor shall the word "warranty" in an insurance contract be prohibited if the contract contains a definition of "warranty" approved by the commissioner of insurance.

(Authorized by K.S.A. 40-103, 40-2404a; implementing K.S.A. 40-2404; effective Jan. 1, 1966; amended May 1, 1979; amended May 1, 1986.)

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