

Proposed

State of Kansas

Office of the State Bank Commissioner

Consumer and Mortgage Lending Division

Notice of Hearing on Proposed Administrative Regulations

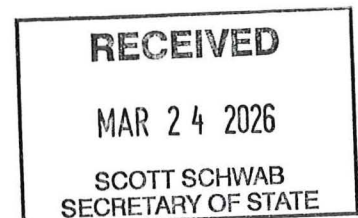
A public hearing will be conducted on Monday, June 8, 2026, at 1:00 p.m. in the Bank Commissioner's Astra Board Room of the Jayhawk Tower Building, 700 SW Jackson, Fourth Floor, Topeka, KS 66603 to consider the proposed permanent amendments to Kansas Administrative Regulations 75-6-9, 75-6-31, 75-6-32, 75-6-36, 75-6-37 and 75-6-38 which interpret the Uniform Consumer Credit Code ("UCCC").

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed and revised regulations. All interested parties may submit written comments prior to the hearing by mailing them to the Office of the State Bank Commissioner, 700 SW Jackson, Suite 300, Topeka, Kansas 66603-3796 or by email to Brock.Roehler@osbckansas.org. During the public hearing, all interested parties will be given a reasonable opportunity to present their views orally or in writing regarding the proposed changes to K.A.R. 75-6-9, K.A.R. 75-6-31, K.A.R. 75-6-32, K.A.R. 75-6-36, K.A.R. 75-6-37 and K.A.R. 75-6-38. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation.

Copies of the proposed regulations and the economic impact statements may be obtained from the Office of the State Bank Commissioner by contacting Brock Roehler at 785-379-3890, Brock.Roehler@osbckansas.org or at the mailing address given above. TTY calls may be made by contacting the Kansas Relay Center at 1-800-766-3777.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed and revised regulations and economic impact statements in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Brock Roehler at the Office of the State Bank Commissioner. The west entrance to the Jayhawk Tower Building is accessible and there is one accessible parking spot at 720 SW Jackson. There is additional accessible parking on the northwest corner of Jackson and 8th Street.

Copies of the proposed regulations can be viewed at the Office of the State Bank Commissioner's website, www.osbckansas.gov. A summary of the proposed and revised regulations and each proposed regulation's economic impact follows:



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K.A.R. 75-6-9 is an administrative regulation promulgated by the Office of the State Bank Commissioner and addresses additional charges that may be charged under the UCCC to consumers in non-mortgage consumer credit transactions. A similar regulation under the Kansas Mortgage Business Act (“KMBA”) and pertaining to mortgage additional charges is concurrently being proposed by the Office of the State Bank Commissioner as a new regulation, K.A.R. 17-24-7. Statutory citations have been updated in this regulation. Subsection (c) was amended to remove a definition within a definition.

K.A.R. 75-6-9 Economic Impact: This regulation is being updated to reflect new statutory citations and is updated for new grammatical styles. Since there are no substantive changes, there is no economic impact.

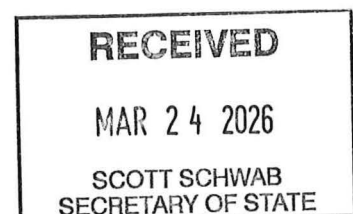
K.A.R. 75-6-31 is an administrative regulation promulgated by the Office of the State Bank Commissioner requiring applicants of a supervised lender license or renewal to obtain and retain evidence of a surety bond. This regulation removes the bonding requirement for loans secured by an interest in real property as those statutes have been repealed and replaced with new statutes under the KMBA. This regulation update also sets a limit of 1 million upon the administrator when the administrator may require a higher surety bond amount. The criteria used in determining whether an increased bond is required remains the same.

K.A.R. 75-6-31 Economic Impact: This regulation is expected to have no economic impact. There are no entities engaged in making loans secured by interest in real property at this time. Furthermore, the administrator has never set a surety bond over 1 million under the UCCC, so the limitation is not expected to cause any savings.

K.A.R. 75-6-32 is an administrative regulation promulgated by the Office of the State Bank Commissioner requiring consumer credit filers to file notice with the administrator within a certain time frame when commencing business in Kansas and each year thereafter. The regulation is being amended to reflect the new terminology in the statute by changing “notification” to “consumer credit filings” and to change the filing due date of each year from April 30 to August 31.

K.A.R. 75-6-32 Economic Impact: This proposed amendment is expected to have no economic impact. People engaged in consumer credit that are not licensed as supervised lenders will be affected by this proposed regulation. Consumer credit filers may still file notice on April 1 of each year and would still be compliant with the current regulation.

K.A.R. 75-6-36 and K.A.R. 75-6-37 are administrative regulations promulgated by the Office of the State Bank Commissioner. Both regulations pertain to mortgages and both are being revoked because mortgages were removed from the UCCC and transferred to the KMBA. The



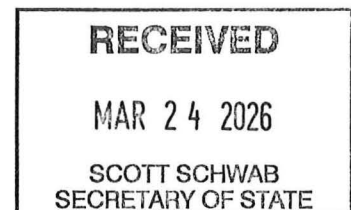
KMBA has duplicate regulations at K.A.R. 17-24-5 and 17-24-6.

K.A.R. 75-6-36 and K.A.R. 75-6-37 Economic Impact: There is no economic impact. Both regulations are being repealed as they are no longer necessary and do not interpret an existing statute. No consumer or business will be affected.

K.A.R. 75-6-38 is an administrative regulation promulgated by the Office of the State Bank Commissioner and pertains to record retention requirements in a consumer credit transaction. K.A.R. 75-6-38 is being amended for several reasons. All mortgage provisions in the UCCC were repealed and replaced with new statutes in the KMBA at K.S.A. 9-2201 et. seq, effective January 1, 2025. Mortgage specific requirements currently in (b) have been removed. Subsections (a) and (c) apply to all supervised lenders and consumer credit filers regardless of what activity is being conducted. This regulation is now being split into 4 categories to specifically apply to each type of loan activity that is being conducted. Subsection (c) will apply to everyone. Subsection (a) will only apply to supervised lenders and consumer credit providers that originate consumer credit transactions. Subsection (b) will only apply to supervised lenders and consumer credit providers that undertake collection of payments. A new subsection (d) will apply to supervised lenders and consumer credit providers that collect on defaulted debt.

K.A.R. 75-6-38 Economic Impact: The proposed amendments are expected to have a reduced economic impact. The current regulation requires every licensee and consumer credit filer to retain all documents, some of which are not necessary to review as part of an examination. This proposed regulation outlines the specific documents that are required to be retained for each activity. Supervised lenders, consumer credit filers and document retention companies will be affected. It is expected that compliance costs will decrease for each supervised lender and consumer credit filer as there is less documentation required for certain transactions. It is anticipated that supervised lenders and consumer credit filers will find it easier to buy and sell consumer credit transactions due to the reduction in document retention requirements. No cost to the consumer is expected.

James M. Payne
Deputy Bank Commissioner



75-6-9. Additional charges. (a) The charges enumerated in K.S.A. 2025 Supp. 16a-2-501 (1)(d), and amendments thereto, shall be considered "additional charges in connection with a consumer credit transaction" if the charges meet the following requirements:

(1) ~~(a)~~ Are made under conditions that permit their exclusion from the definition of "finance charge" under K.S.A. 2025 Supp. 16a-1-301 ~~(22)~~, and amendments thereto; and

~~(2)~~ ~~(b)~~ Are payable to a third party who is not related to the creditor, except as allowed by K.S.A. 2025 Supp. 16a-1-301 ~~(10)(b)-(13)(b)~~, and amendments thereto; and

~~(b)~~ ~~(c)~~ Additional charges shall be considered "in connection with a consumer credit transaction," as used in K.S.A. 16a-2-501 and amendments thereto and subsection (a) of this regulation, if Either of the following conditions is are met:

(1) In relation to insurance premiums, the creditor or a person related to the creditor receives a commission on any insurance sold on the same day on which the consumer credit transaction was consummated; or

(2) in relation to all other additional charges, the charges are made for goods, services, or both rendered within one month before or after the consummation of the consumer credit transaction. (Authorized by K.S.A. 2025 Supp. 16a-6-104(e), as amended by 2009 SB 240, §21; implementing K.S.A. 2025 Supp. 16a-2-501 ~~(1)(d)~~; effective, E-74-13, Jan. 1, 1974; effective May 1, 1975; amended May 1, 1985; amended Sept. 20, 1996; amended Oct. 2, 2009; amended P-_____.)

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75-6-31. Bond Requirements. (a) Each supervised lender applicant for a supervised loan license shall provide, and each licensee shall submit a bond maintain a surety bond of in the following amounts:

(1) For any applicant who engages in or intends to engage in making loans secured by an interest in real property or contracts for deed, \$250,000.00 for the first licensed place of business, plus an additional \$25,000.00 for each additional licensed place of business or, if the applicant made more than \$50,000,000.00 in such loans in Kansas during the previous calendar year, \$300,000.00; or

(2) for all other applicants, \$100,000.00 for the first licensed place of business, plus an additional \$25,000.00 for each additional licensed place of business.

(b) The total bond requirement for each applicant shall not exceed \$300,000.00, unless the administrator determines, ~~after consideration of the factors specified in subsection (c),~~ that special circumstances require a higher surety bond amount in order to adequately protect Kansas consumers for an applicant or licensee up to \$1,000,000.

(c) In determining whether a higher bond amount is necessary, the following factors shall be considered by the administrator:

(1) Whether the applicant or licensee's business ~~proposed to be conducted by the applicant~~ involves technology or methods that may require additional regulatory oversight by the administrator;

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(2) whether the applicant or licensee has been the subject of regulatory or disciplinary actions by the administrator, any regulatory body of this state, or any other state, or any federal regulatory body; ~~or~~ and

(3) whether the ~~applicant's~~ applicant or licensee's structure, business activities, or operations possess elements of risk that may require additional regulatory oversight ~~by the administrator.~~ (Authorized by K.S.A. 2025 Supp. 16a-2-302(1)(a), as amended by ~~2009 SB 240, § 17~~, and K.S.A. 2025 Supp. 16a-6-104, as amended by ~~2009 SB 240, § 21~~; implementing K.S.A. 2025 Supp. 16a-2-302(2), as amended by ~~2009 SB 240, § 17~~; effective July 14, 2000; amended Jan. 6, 2006; amended Oct. 2, 2009; amended P-_____.)

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75-6-32. ~~Notification~~ Consumer Credit filing (a) Each ~~person~~ subject to K.S.A. 16a-6-201 through K.S.A. 16a-6-203, and amendments thereto, consumer credit filer shall file ~~notification~~ notice with the administrator within 30 days after commencing business in Kansas and, thereafter, on or before ~~April 30~~ August 31 of each year. The ~~notification~~ notice shall be submitted on a form provided by the administrator.

(b) If the ~~business's~~ consumer credit filer's name, status, or list of locations contained in the notification becomes inaccurate after filing, the ~~person~~ consumer credit filer shall notify the administrator in writing within 30 days of the date of the change. (Authorized by K.S.A. 2000 2025 Supp. 16a-6-104; implementing K.S.A. 2000 2025 Supp. 16a-6-202; effective Feb. 23, 2001; amended P-_____.)

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75-6-36. (Authorized by and implementing K.S.A. 16a-6-104, as amended by 2009 SB 240, §21; effective Oct. 2, 2009; revoked P-_____.)

75-6-37. (Authorized by and implementing K.S.A. 16a-6-104, as amended by 2009 SB 240, §21; effective Oct. 2, 2009; revoked P-_____.)

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75-6-38. Record retention.(a) ~~In any loan, lease, or credit sale not secured by an interest in real estate, the licensee or any person required to file notification with the administrator pursuant to K.S.A. 16a-6-202, and amendments thereto, shall retain the following:~~ When a licensee or consumer credit filer originates a consumer credit transaction, the licensee or consumer credit filer shall retain the following records, as applicable, for at least 36 months following the consummation date of the consumer credit transaction or, if the transaction is not consummated, the application date:

(1) ~~The following documents, as applicable, in any transaction closed in the name of the licensee or person filing notification, for at least 36 months following the closing date or, if the transaction is not closed, the application date:~~

~~(A)~~ The application;

~~(B)~~(2) the contract and any addendum or rider;

~~(C)~~(3) ~~the final truth-in-lending disclosure statement, including an itemization of the amount financed and an itemization of any prepaid finance charges, or consumer lease disclosures~~ all records and disclosures evidencing compliance with applicable federal lending and leasing laws and regulations;

~~(D)~~(4) any written agreements with the ~~borrower~~ consumer that describe rates or fees;

~~(E)~~(5) any documentation that aided the licensee or ~~person~~ consumer credit filer in making a ~~credit decision~~ to engage in a consumer credit transaction, including a credit report, verification of employment, verification of income, bank statements, payroll records, and tax returns;

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~~(F)(6)~~ all paid invoices for credit report, filing, and any other closing costs;

~~(G)(7)~~ any credit insurance requests and insurance certificates;

~~(H)(8)~~ the assignment of the contract;

~~(I)(9)~~ phone log or any correspondence with associated notes detailing each contact with the consumer; all records of consumer correspondence, including written communications, electronic mail, instant messages and phone logs, any notes detailing contact with each consumer, and any phone conversation recordings or transcripts;

~~(J)(10)~~ all other agreements for products or services charged in connection with each transaction by the licensee, ~~person filing notification~~consumer credit filer, or third party, including guaranteed asset protection ~~(GAP)~~plans and warranties; and

~~(K)(11)~~ any other disclosures or statements required by law; and

~~(2)~~ the following documents, as applicable, in any transaction in which the licensee or ~~person filing notification~~ owns the account and directly or indirectly undertakes collection of payments or enforcement of rights against debtors, for at least 36 months after the final entry to each account:

(b) When a licensee or consumer credit filer directly or indirectly undertakes collection of payments or enforcement of rights against debtors in any consumer credit transaction, the licensee or consumer credit filer shall retain the following records, as applicable, for at least 36 months following the final entry to each account:

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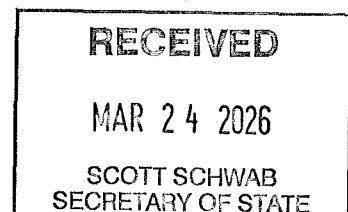
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(A)(1) All records listed in subsection (a) if the licensee or consumer credit filer owns or takes assignment of the account;

(2) a complete payment history, including the following:

(i)(A) An explanation of transaction codes, if used;

(ii)(B) the principal balance;

(iii)(C) the payment ~~amount~~ amounts;

(iv)(D) the payment ~~date~~ dates;

(v)(E) the distribution of ~~the~~ each payment amount to interest, principal, and late fees or other fees; and

(vi)(F) any other amounts that have been added to, or deducted from, a each consumer's account; and

(B)(3) any other statements, disclosures, invoices, or information for each account, including the following:

(i)(A) Documentation supporting any amounts added to a each consumer's account or evidence that a service was actually performed in connection with these amounts, ~~or both~~, including costs of collection, attorney's fees, skip tracing, retaking, or repossession fees;

(ii)(B) loan modification agreements;

(iii)(C) forbearance or any other repayment agreements;

(iv)(D) subordination agreements;

(v)(E) surplus or deficiency balance statements;

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~~(vi)(F)~~ default-related correspondence or documents;

~~(vii)(G)~~ evidence of sale of repossessed collateral;

~~(viii)(H)~~ the notice of the consumer's right to cure;

~~(ix)(I)~~ property insurance advance disclosure;

~~(x)(J)~~ force-placed property insurance;

~~(xi)(K)~~ notice and evidence of credit insurance premium refunds;

~~(xii)(L)~~ deferred interest;

~~(xiii)(M)~~ suspense accounts;

~~(xiv) phone log or any correspondence with associated notes detailing each contact between the servicer and the consumer; and~~ (N) all records of correspondence with the consumer, including written communications, electronic mail, instant messages, phone logs, any notes detailing contact with the consumer, and any phone conversation recordings or transcripts; and

~~(xv)(O)~~ any other product or service agreements; and

~~(C) documents related to the general servicing activities of the licensee, including the following:~~

(c) Each licensee and consumer credit filer shall retain any records relating to servicing activities of the licensee or consumer credit filer, including the records listed in this subsection, regarding any consumer credit transactions. The licensee or consumer credit filer shall retain the following records for at least the previous 36 months:

(i)(1) Historical records for all adjustable rate indices used;

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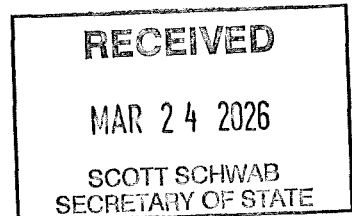
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~~(ii)~~(2) a log of all accounts sold, transferred, or assigned that details to whom the accounts were sold, transferred, or assigned;

~~(iii)~~(3) a log of all accounts in which repossession activity has been initiated;

~~(iv)~~(4) a log of all credit insurance claims and accounts paid by credit insurance; and

~~(v)~~(5) a schedule of servicing fees and charges imposed by the licensee, consumer credit filer, or a third party; and

(6) disclosures and agreements between the licensee or consumer credit filer and all servicers or sub-servicers the licensee or consumer credit filer uses to process any transactions.

(d) When a licensee or consumer credit filer purchases an account in a consumer credit transaction as defaulted debt or as a defaulted receivable, the licensee or consumer credit filer shall, in lieu of the requirements of subsections (a), (b), and (c), retain the following records relating to the purchased debts or receivables for at least 36 months following the purchase or final entry to each account, whichever is later:

(1) The consumer's first and last name;

(2) the consumer's social security number or other government-issued identification number, if obtained by the original creditor;

(3) the consumer's last known address;

(4) the originating creditor's name and address;

(5) evidence establishing the consumer's liability, which may include a copy of the signed contract, a copy of the most recent debt or receivable terms and conditions, or a copy of the last activity statement;

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(6) the account number;

(7) the unpaid balance due on the account along with an itemization of interest, fees, and payments, and any credits or adjustments;

(8) the date and amount of the consumer's last payment, if any;

(9) the date and amount of the last disbursement or draw from the account;

(10) sufficient information to calculate the dates of account delinquency and default;

(11) the date of charge-off; and

(12) a copy of a statement that reflects the unpaid balance at the time of charge-off.

(13) a copy of each bill of sale or other document evidencing the transfer of ownership of the debt or receivable from the initial sale by the original creditor to each successive owner, such that when the bills of sale or other documents are viewed in their totality they provide a complete and unbroken chain of title documenting the name and dates of ownership of the original creditor and each subsequent owner up to and including the buyer in the current sale;

(14) any settlement offers or agreements, whether or not accepted, between the consumer and the original creditor or between the consumer and any subsequent owner up to and including the buyer in the current sale;

(15) any paid-in-full notices or other documentation showing successful completion of a settlement, whether the settlement and its completion was between the consumer and the original creditor or between the consumer and any subsequent owner up to and including the buyer in the current sale; and

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(16) all records of consumer correspondence, including written communications, electronic mail, instant messages and phone logs, any notes detailing contact with each consumer, and any phone conversation recordings or transcripts.

(e) Affidavits or attestations that are not sworn or attested by the original consumer shall not be substituted for any of the requirements of subsection (d).

~~(b) In any loan secured by an interest in real estate, the licensee shall retain the following:~~

~~(1) The following documents, as applicable, in any mortgage loan in which the licensee does not close the transaction in the licensee's name, for at least 36 months following the closing date or, if the transaction is not closed, the application date:~~

~~(A) The application;~~

~~(B) the good faith estimate;~~

~~(C) the early truth in lending disclosure statement;~~

~~(D) any written agreements with the borrower that describe rates, fees, broker compensation, and any other similar fees;~~

~~(E) an appraisal performed by a Kansas licensed or Kansas certified appraiser completed within 12 months before the loan closing date, the total appraised value of the real estate as reflected in the most recent records of the tax assessor of the county in which the real estate is located, or, for a nonpurchase money real estate transaction, the estimated market value as determined through an automated valuation model, pursuant to K.S.A. 16a-1-301(6) and amendments thereto, acceptable to the administrator;~~

~~(F) the adjustable rate mortgage (ARM) disclosure;~~

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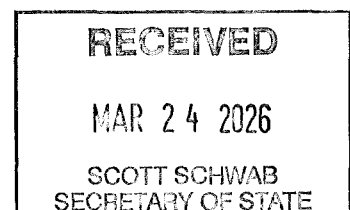
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~~(G) the home equity line of credit (HELOC) disclosure statement;~~

~~(H) the affiliated business arrangement disclosure;~~

~~(I) evidence that the special information booklet, consumer handbook on adjustable rate mortgages, home equity brochure, reverse mortgage booklet, or any suitable substitute was delivered in a timely manner;~~

~~(J) the certificate of counseling for home equity conversion mortgages (HECMs);~~

~~(K) the loan cost disclosure statement for HECMs;~~

~~(L) the notice to the borrower for HECMs;~~

~~(M) phone log or any correspondence with associated notes detailing each contact with the consumer;~~

~~(N) any documentation that aided the licensee in making a credit decision, including a credit report, title work, verification of employment, verification of income, bank statements, payroll records, and tax returns;~~

~~(O) the settlement statement; and~~

~~(P) all paid invoices for appraisal, title work, credit report, and any other closing costs;~~

~~(2) the following documents, as applicable, in any transaction in which the licensee provides any money to fund the loan or closes the mortgage loan in the licensee's name, for at least 36 months from the closing date of the transaction:~~

~~(A) The high loan to value notice required by K.S.A. 16a-3-207 and amendments thereto;~~

~~(B) the final truth in lending disclosure statement, including an itemization of the amount financed and an itemization of any prepaid finance charges;~~

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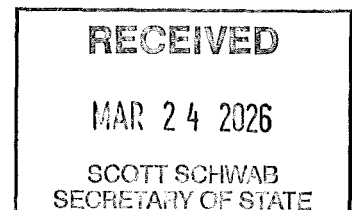
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- ~~(C) any credit insurance requests and insurance certificates;~~
- ~~(D) the note and any other applicable contract addendum or rider;~~
- ~~(E) a copy of the filed mortgage or deed;~~
- ~~(F) a copy of the title policy or search;~~
- ~~(G) the assignment of the mortgage and note;~~
- ~~(H) the initial escrow account statement or escrow account waiver;~~
- ~~(I) the notice of the right to rescind or waiver of the right to rescind;~~
- ~~(J) the special home ownership and equity protection act disclosures required by regulation Z in 12 CFR 226.32(e) and 226.34(a)(2), if applicable;~~
- ~~(K) the mortgage servicing disclosure statement and applicant acknowledgement;~~
- ~~(L) the notice of transfer of mortgage servicing;~~
- ~~(M) any interest rate lock-in agreement or float agreement; and~~
- ~~(N) any other disclosures or statements required by law; and~~
- ~~(3) the following documents, as applicable, in any mortgage transaction in which the licensee owns the mortgage loan or the servicing rights of the mortgage loan and directly or indirectly undertakes collection of payments or enforcement of rights against debtors, for at least 36 months from the final entry to each account:~~
 - ~~(A) A complete payment history, including the following:~~
 - ~~(i) An explanation of transaction codes, if used;~~
 - ~~(ii) the principal balance;~~
 - ~~(iii) the payment amount;~~

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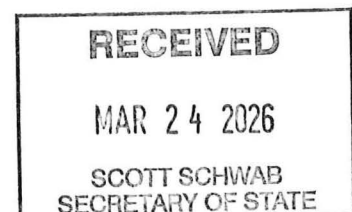
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~~(iv) the payment date;~~

~~(v) the distribution of the payment amount to interest, principal, late fees or other fees, and escrow; and~~

~~(vi) any other amounts that have been added to, or deducted from, a consumer's account;~~

~~(B) any other statements, disclosures, invoices, or information for each account, including the following:~~

~~(i) Documentation supporting any amounts added to a consumer's account or evidence that a service was actually performed in connection with these amounts, including costs of collection, attorney's fees, property inspections, property preservations, and broker price opinions;~~

~~(ii) annual escrow account statements and related escrow account analyses;~~

~~(iii) notice of shortage or deficiency in escrow account;~~

~~(iv) loan modification agreements;~~

~~(v) forbearance or any other repayment agreements;~~

~~(vi) subordination agreements;~~

~~(vii) foreclosure notices;~~

~~(viii) evidence of sale of foreclosed homes;~~

~~(ix) surplus or deficiency balance statements;~~

~~(x) default related correspondence or documents;~~

~~(xi) the notice of the consumer's right to cure;~~

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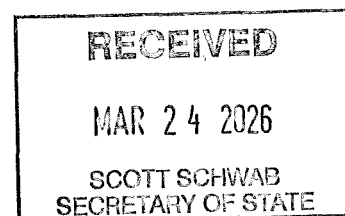
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~~(xii) property insurance advance disclosure;~~

~~(xiii) force-placed property insurance;~~

~~(xiv) notice and evidence of credit insurance premium refunds;~~

~~(xv) deferred interest;~~

~~(xvi) suspense accounts;~~

~~(xvii) phone log or any correspondence with associated notes detailing each contact between the servicer and the consumer; and~~

~~(xviii) any other product or service agreements; and~~

~~(C) documents related to the general servicing activities of the licensee, including the following:~~

~~(i) Historical records for all adjustable rate mortgage indices used;~~

~~(ii) a log of all accounts sold, transferred, or assigned that details to whom the accounts were sold, transferred, or assigned;~~

~~(iii) a log of all accounts in which foreclosure activity has been initiated;~~

~~(iv) a log of all credit insurance claims and accounts paid by credit insurance; and~~

~~(v) a schedule of servicing fees and charges imposed by the licensee or a third party.~~

~~(e)(f) In addition to meeting the requirements specified in subsections (a) and (b) through (e), each licensee or person filing notification consumer credit filer shall retain for at least the previous 36 months the documents related to the general business activities of the licensee or person filing notification consumer credit filer, which shall include the following:~~

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(1) Advertising records, including copies of printed advertisements or solicitations and those by internet or other electronic means;

(2) the business account check ledger or register;

(3) all financial statements, balance sheets, or statements of condition;

(4) a detailed list of all transactions originated, closed, purchased, or serviced; and

(5) a schedule of the licensee's fees and charges.

(g) As used in this article:

(1) "charge-off" means the time at which the original creditor has written off the debt or receivable and is no longer collecting from the consumer; and

(2) "licensee" and "consumer credit filer" includes assignees and servicers of consumer credit transactions and does not include supervised financial organizations. (Authorized by K.S.A. 2025 Supp. 16a-6-104, as amended by 2009 SB 240, § 21; implementing K.S.A. 2025 Supp. 16a-2-304, as amended by 2009 SB 240, § 19; effective Oct. 2, 2009; amended P-_____.)

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SECRETARY OF STATE

Kansas Administrative Regulations Economic Impact Statement (EIS)

2/18/26

Proposed

Office of the State Bank Commissioner
Agency

Brock Roehler
Agency Contact

785-379-3892
Contact Phone Number

75-6-9
K.A.R. Number(s)

Permanent Temporary

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

- Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.
- No If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million or more in implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule and regulation over the initial five-year period following adoption of such rule(s) and regulation(s) (as calculated in Section III, F)?
- Yes If "Yes," then the agency shall not adopt the rule(s) and regulation(s) until the rule(s) and regulation(s) has been ratified by the Legislature with a bill, unless the proposed rule(s) and regulation(s) are: 1) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program, as described in K.S.A. 77-416(b)(1)(B), and amendments thereto; 2) temporary rule(s) and regulation(s) adopted pursuant to K.S.A. 77-722, and amendments thereto; or 3) rules and regulations adopted pursuant to K.S.A. 2-3710 (Kansas Agricultural Remediation Board). Continue to fill out the remaining EIS form to be included with the regulation packet in the review process to the Department of Administration and the Attorney General. The submitted EIS will be independently analyzed by the Division of the Budget for approval.
- No If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. The submitted EIS will be analyzed by the Division of the Budget for approval.

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Section I

Analysis, brief description, and cost and benefit quantification of the proposed rule(s) and regulation(s). If the approach chosen by the Kansas agency to address the policy issue is different from that utilized by agencies of contiguous states or of the federal government, the economic impact statement shall include an explanation of why the Kansas agency's rule and regulation differs.

K.A.R. 75-6-9 discusses additional charges that may be charged to a consumer in a consumer credit transaction. The OSBC recently requested a new regulation, K.A.R. 17-24-7, that mirrors this new regulation. K.A.R. 17-24-7 applies to mortgages, and this regulation will apply to nonmortgage consumer credit transactions. The changes to K.A.R. 75-6-9 are not substantive.

Colorado and is another UCCC code state. Colorado has issued a regulation that allows involuntary unemployment insurance premiums as an additional charge. Oklahoma is another UCCC state that has implemented the UCCC, but has not issued any regulations. Nebraska and Missouri list in statute what additional charges are permitted.

Section II

Explain whether the proposed rule and regulation is mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program and whether the proposed rules and regulations exceed the requirements of applicable federal law.

The proposed rules and regulations are neither mandated by federal law nor is it a requirement for participation in any federally subsidized or assisted program. The proposed rules and regulations work in conjunction with applicable federal laws. They do not exceed any requirements, rules or procedures of applicable federal law.

Section III

Agency analysis specifically addressing the following:

- A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

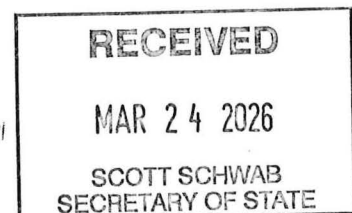
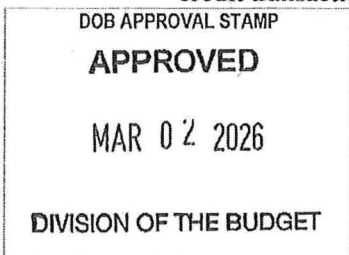
The proposed amendments are not substantive and are expected to have negligible impact on business activities and growth. No assessments or charges are being incurred by the businesses for the implementation of these regulations.

- B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that will be affected by the proposed rule(s) and regulation(s) and on the state economy as a whole;

No substantive change.

- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);

Any bank, credit union, mortgage company or consumer creditor who originates or closes any consumer credit transaction in the state of Kansas with Kansas consumers.



D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

There is no cost associated with the proposed regulation.

E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

No cost is being assessed to either party because of the creation or implementation of this proposed regulation.

F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or individuals. *Note: Do not account for any actual or estimated cost savings that may be realized. Implementation and compliance costs determined shall be those additional costs reasonably expected to be incurred and shall be separately identified for the affected businesses, local governmental units, and individuals.*

Costs to Affected Businesses – \$0

Costs to Local Governmental Units – \$0

Costs to Individuals – \$0

Total Annual Costs – \$0

(sum of above amounts)

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

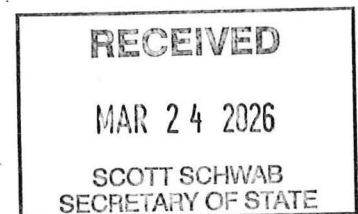
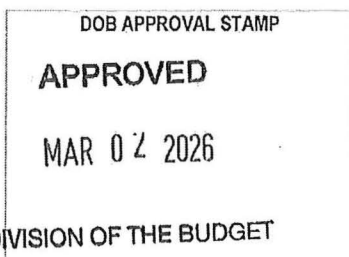
Click here to enter agency response.

- Yes
 - No
 - Not Applicable
- If the total implementation and compliance costs exceed \$1.0 million or more in implementation and compliance costs over the initial five-year period following adoption of such rule(s) and regulation(s) that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule and regulation, did the agency hold a public hearing to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

If applicable, click here to enter public hearing information.

Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

\$0



Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

\$0

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Revenues of cities, counties or school districts will not be affected. The proposed changes are administrative in nature and do not result in any costs being assessed to any other agency of entity.

- H. Describe how the agency consulted and solicited information from businesses, business associations, local governmental units, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s) or may provide relevant information.

These changes are not substantive. For this round of regulation review, we requested comments from Rocket Mortgage, OneMain Financial, and Mortgage Bankers Association. No objections or concerns were noted. No local government unit, state agency, or institution was consulted.

Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

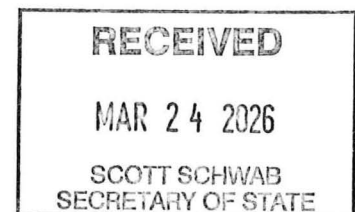
- Yes If yes, complete the remainder of Section IV.
- No If no, skip the remainder of Section IV.

- A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the individuals or entities who would bear the costs.

Click here to enter agency response.

- B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other individuals who will bear the costs.

Click here to enter agency response.



- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, the individuals or entities who will bear the costs and who will be affected by the failure to adopt the rule(s) and regulation(s).

[Click here to enter agency response.](#)

- D. Provide a detailed statement of the data and methodology used in estimating the costs used.

[Click here to enter agency response.](#)

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Kansas Administrative Regulations Economic Impact Statement (EIS)

Proposed

Office of the State Bank Commissioner
Agency

Brock Roehler
Agency Contact

785-379-3892
Contact Phone Number

75-6-31
K.A.R. Number(s)

Permanent Temporary

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

- Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.
- No If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million or more in implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule and regulation over the initial five-year period following adoption of such rule(s) and regulation(s) (as calculated in Section III, F)?
- Yes If "Yes," then the agency shall not adopt the rule(s) and regulation(s) until the rule(s) and regulation(s) has been ratified by the Legislature with a bill, unless the proposed rule(s) and regulation(s) are: 1) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program, as described in K.S.A. 77-416(b)(1)(B), and amendments thereto; 2) temporary rule(s) and regulation(s) adopted pursuant to K.S.A. 77-722, and amendments thereto; or 3) rules and regulations adopted pursuant to K.S.A. 2-3710 (Kansas Agricultural Remediation Board). Continue to fill out the remaining EIS form to be included with the regulation packet in the review process to the Department of Administration and the Attorney General. The submitted EIS will be independently analyzed by the Division of the Budget for approval.
- No If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. The submitted EIS will be analyzed by the Division of the Budget for approval.

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Section I

Analysis, brief description, and cost and benefit quantification of the proposed rule(s) and regulation(s). If the approach chosen by the Kansas agency to address the policy issue is different from that utilized by agencies of contiguous states or of the federal government, the economic impact statement shall include an explanation of why the Kansas agency's rule and regulation differs.

K.A.R. 75-6-31 requires a surety bond for all supervised lenders doing business in Kansas. The language discussing real property and contracts for deed were removed since those statutes moved to the Kansas Mortgage Business Act. This regulation also limits the Administrator to increases in the surety bond up to 1 million. Currently, there is no statutory or regulatory limit to the surety bond.

Adjacent State requirements are different in each state. Our requirements are most similar to Nebraska. No state has language that states when a higher surety bond is required.

- Colorado has a volume-based surety bond up to \$25,000.
- Missouri has a surety bond requirement of \$1,000.
- Nebraska requires a surety bond of \$50,000.
- Oklahoma requires a surety bond of \$50,000.

Section II

Explain whether the proposed rule and regulation is mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program and whether the proposed rules and regulations exceed the requirements of applicable federal law.

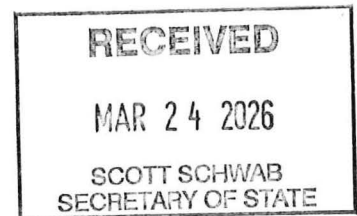
The proposed rules and regulations are neither mandated by federal law nor is it a requirement for participation in any federally subsidized or assisted program.

Section III

Agency analysis specifically addressing the following:

- A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

The proposed amendments will only limit the Administrator to setting a higher bond up to \$1,000,000. The Administrator has never set a surety bond higher than 1 million, so no expected impact.



Proposed

- B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that will be affected by the proposed rule(s) and regulation(s) and on the state economy as a whole;

No economic effect

- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);

Supervised lenders

- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

N/A.

- E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

N/A.

- F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or individuals. *Note: Do not account for any actual or estimated cost savings that may be realized. Implementation and compliance costs determined shall be those additional costs reasonably expected to be incurred and shall be separately identified for the affected businesses, local governmental units, and individuals.*

Costs to Affected Businesses – \$0

Costs to Local Governmental Units – \$0

Costs to Individuals – \$0

Total Annual Costs – \$0

(sum of above amounts)

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

[Click here to enter agency response.](#)

- Yes If the total implementation and compliance costs exceed \$1.0 million or more in implementation and compliance costs over the initial five-year period following adoption of such rule(s) and regulation(s) that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule and regulation, did the agency hold a public hearing to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.
- No
- Not Applicable

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Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

\$0. The OSBC does not collect any surety bond premiums.

Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

Supervised lenders already have an ongoing cost to obtain a surety bond, so no general cost to the public.

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Revenues of cities, counties or school districts will not be affected.

- H. Describe how the agency consulted and solicited information from businesses, business associations, local governmental units, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s) or may provide relevant information.

For this round of regulation review, we requested comments from Rocket Mortgage, OneMain Financial, and Mortgage Bankers Association. No objections or concerns were noted. No local government unit, state agency, or institution was consulted.

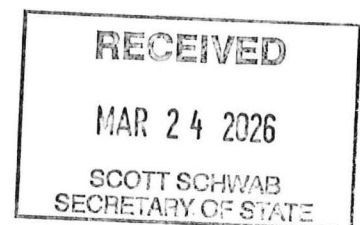
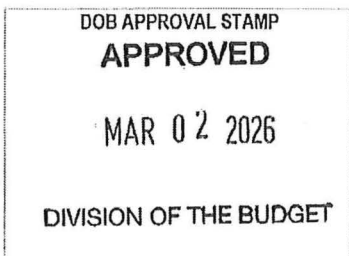
Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

- Yes If yes, complete the remainder of Section IV.
 No If no, skip the remainder of Section IV.

- A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the individuals or entities who would bear the costs.

Click here to enter agency response.



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- B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other individuals who will bear the costs.

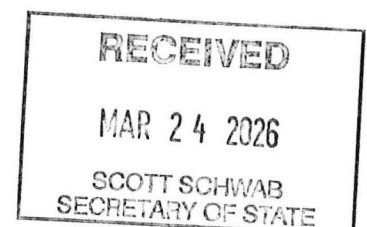
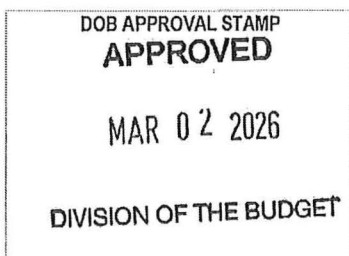
Click here to enter agency response.

- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, the individuals or entities who will bear the costs and who will be affected by the failure to adopt the rule(s) and regulation(s).

Click here to enter agency response.

- D. Provide a detailed statement of the data and methodology used in estimating the costs used.

Click here to enter agency response.



Kansas Administrative Regulations Economic Impact Statement (EIS)

3/11/26

Proposed

Office of the State Bank Commissioner
Agency

Brock Roehler
Agency Contact

785-379-3892
Contact Phone Number

75-6-32
K.A.R. Number(s)

Permanent Temporary

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

No If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million or more in implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule and regulation over the initial five-year period following adoption of such rule(s) and regulation(s) (as calculated in Section III, F)?

Yes If "Yes," then the agency shall not adopt the rule(s) and regulation(s) until the rule(s) and regulation(s) has been ratified by the Legislature with a bill, unless the proposed rule(s) and regulation(s) are: 1) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program, as described in K.S.A. 77-416(b)(1)(B), and amendments thereto; 2) temporary rule(s) and regulation(s) adopted pursuant to K.S.A. 77-722, and amendments thereto; or 3) rules and regulations adopted pursuant to K.S.A. 2-3710 (Kansas Agricultural Remediation Board). Continue to fill out the remaining EIS form to be included with the regulation packet in the review process to the Department of Administration and the Attorney General. The submitted EIS will be independently analyzed by the Division of the Budget for approval.

No If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. The submitted EIS will be analyzed by the Division of the Budget for approval.

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Section I

Analysis, brief description, and cost and benefit quantification of the proposed rule(s) and regulation(s). If the approach chosen by the Kansas agency to address the policy issue is different from that utilized by agencies of contiguous states or of the federal government, the economic impact statement shall include an explanation of why the Kansas agency's rule and regulation differs.

K.A.R. 75-6-32 is a regulation that currently states when a notification must be filed. The new term for "notification" was changed to "consumer credit filing" in the statute, so this has been updated. In addition, the date has changed from April 30 to August 31.

Consumer credit filing requirements are consistent among Uniform Consumer Credit Code states. Oklahoma and Colorado have enacted the UCCC and state by statute when the filing is due. Missouri and Nebraska are not UCCC code states and do not have a similar requirement.

Section II

Explain whether the proposed rule and regulation is mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program and whether the proposed rules and regulations exceed the requirements of applicable federal law.

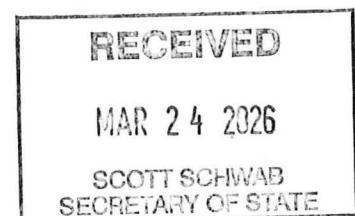
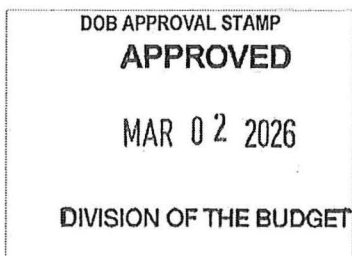
The proposed rules and regulations are neither mandated by federal law nor is it a requirement for participation in any federally subsidized or assisted program.

Section III

Agency analysis specifically addressing the following:

- A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

The proposed amendment will have no impact on business activity. No consumer credit filer will be prohibited from filing on April 1 if they so chose.



B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that will be affected by the proposed rule(s) and regulation(s) and on the state economy as a whole;

There is no economic effect because consumer credit filers will still be in compliance with this regulation if they choose to file on April 1, which is the existing date in this regulation.

C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);

Persons engaged in consumer credit that are not licensed as supervised lenders. Supervised lenders are required to file an annual report. To reduce unnecessary duplicative filings, as of 1/1/25, the UCCC no longer requires any supervised lender to also file a consumer credit filing.

D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

This regulation requires filing for the previous calendar year and allows a longer time period for consumer credit filers to provide this information. In addition, the OSBC anticipates receiving the majority of filings after July 1, which will better align the agency to the State of Kansas's fiscal year.

E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

There should be no costs with this change

F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or individuals. *Note: Do not account for any actual or estimated cost savings that may be realized. Implementation and compliance costs determined shall be those additional costs reasonably expected to be incurred and shall be separately identified for the affected businesses, local governmental units, and individuals.*

Costs to Affected Businesses – \$0

Costs to Local Governmental Units – \$0

Costs to Individuals – \$0

Total Annual Costs – \$0

(sum of above amounts)

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

Click here to enter agency response.

- Yes If the total implementation and compliance costs exceed \$1.0 million or more in implementation and compliance costs over the initial five-year period following adoption of such rule(s) and regulation(s) that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule and regulation, did the agency hold a public hearing to find that
- No
- Not Applicable

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the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

\$0. The OSBC is a fee funded agency and would otherwise need to "save" consumer credit filing fees received in April to cover expenses in the following fiscal year.

Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

\$0

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Revenues of cities, counties or school districts will not be affected.

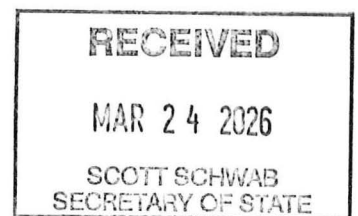
- H. Describe how the agency consulted and solicited information from businesses, business associations, local governmental units, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s) or may provide relevant information.

For this round of regulation review, we requested comments from Rocket Mortgage, OneMain Financial, and Mortgage Bankers Association. No objections or concerns were noted. No local government unit, state agency, or institution was consulted..

Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

- Yes If yes, complete the remainder of Section IV.
- No If no, skip the remainder of Section IV.



Proposed

- A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the individuals or entities who would bear the costs.

Click here to enter agency response.

- B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other individuals who will bear the costs.

Click here to enter agency response.

- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, the individuals or entities who will bear the costs and who will be affected by the failure to adopt the rule(s) and regulation(s).

Click here to enter agency response.

- D. Provide a detailed statement of the data and methodology used in estimating the costs used.

Click here to enter agency response.

DOB APPROVAL STAMP

APPROVED

MAR 02 2026

DIVISION OF THE BUDGET

RECEIVED

MAR 24 2026

SCOTT SCHWAB
SECRETARY OF STATE

Proposed

Kansas Administrative Regulations Economic Impact Statement (EIS)

Office of the State Bank Commissioner
Agency

Brock Roehler
Agency Contact

785-379-3892
Contact Phone Number

75-6-36; 75-6-37
K.A.R. Number(s)

Permanent Temporary

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

No If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million or more in implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule and regulation over the initial five-year period following adoption of such rule(s) and regulation(s) (as calculated in Section III, F)?

Yes If "Yes," then the agency shall not adopt the rule(s) and regulation(s) until the rule(s) and regulation(s) has been ratified by the Legislature with a bill, unless the proposed rule(s) and regulation(s) are: 1) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program, as described in K.S.A. 77-416(b)(1)(B), and amendments thereto; 2) temporary rule(s) and regulation(s) adopted pursuant to K.S.A. 77-722, and amendments thereto; or 3) rules and regulations adopted pursuant to K.S.A. 2-3710 (Kansas Agricultural Remediation Board). Continue to fill out the remaining EIS form to be included with the regulation packet in the review process to the Department of Administration and the Attorney General. The submitted EIS will be independently analyzed by the Division of the Budget for approval.

No If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. The submitted EIS will be analyzed by the Division of the Budget for approval.

DOB APPROVAL STAMP APPROVED MAR 02 2026 DIVISION OF THE BUDGET
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RECEIVED MAR 24 2026 SCOTT SCHWAB SECRETARY OF STATE
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Section I

Analysis, brief description, and cost and benefit quantification of the proposed rule(s) and regulation(s). If the approach chosen by the Kansas agency to address the policy issue is different from that utilized by agencies of contiguous states or of the federal government, the economic impact statement shall include an explanation of why the Kansas agency's rule and regulation differs.

K.A.R. 75-6-36 and 75-6-37 are being repealed since mortgages moved to the KMBA, K.S.A 9.2201 *et. seq.* The KMBA already has duplicate regulations at K.A.R. 17-24-3 and 17-24-5. Thus, there is no need to create a new regulation due to this change.

The prelicensing and testing requirements are required by federal law. Colorado has similar regulations. Oklahoma, Missouri, and Nebraska have similar requirements by statute.

Section II

Explain whether the proposed rule and regulation is mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program and whether the proposed rules and regulations exceed the requirements of applicable federal law.

The proposed rules and regulations are mandated by federal law but is not a requirement for participation in any federally subsidized or assisted program. These regulations are being repealed.

Section III

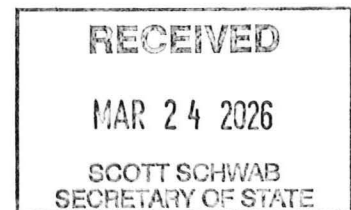
Agency analysis specifically addressing the following:

- A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

N/A. Regulations are being repealed as they are no longer necessary.

- B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that will be affected by the proposed rule(s) and regulation(s) and on the state economy as a whole;

N/A. Regulation no longer applies



- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);
N/A
- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;
N/A
- E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;
N/A.

F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or individuals. *Note: Do not account for any actual or estimated cost savings that may be realized. Implementation and compliance costs determined shall be those additional costs reasonably expected to be incurred and shall be separately identified for the affected businesses, local governmental units, and individuals.*

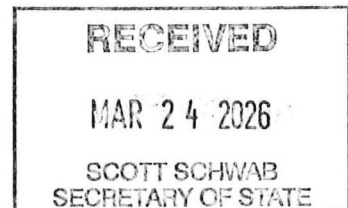
Costs to Affected Businesses – \$0
 Costs to Local Governmental Units – \$0
 Costs to Individuals – \$0
Total Annual Costs – \$0
 (sum of above amounts)

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

Click here to enter agency response.

- Yes
 - No
 - Not Applicable
- If the total implementation and compliance costs exceed \$1.0 million or more in implementation and compliance costs over the initial five-year period following adoption of such rule(s) and regulation(s) that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule and regulation, did the agency hold a public hearing to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.



\$0

Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

\$0

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Revenues of cities, counties or school districts will not be affected..

- H. Describe how the agency consulted and solicited information from businesses, business associations, local governmental units, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s) or may provide relevant information.

The statutes referenced and interpreting have been repealed, so these are "dead regulations." Nevertheless, we requested comments from Rocket Mortgage, OneMain Financial, and Mortgage Bankers Association. No objections or concerns were noted. No local government unit, state agency, or institution was consulted.

Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

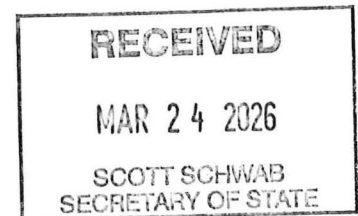
- Yes If yes, complete the remainder of Section IV.
- No If no, skip the remainder of Section IV.

- A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the individuals or entities who would bear the costs.

Click here to enter agency response.

- B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other individuals who will bear the costs.

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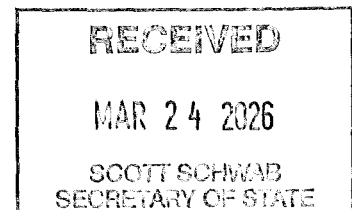
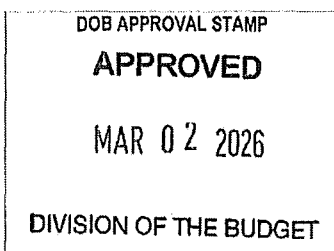


- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, the individuals or entities who will bear the costs and who will be affected by the failure to adopt the rule(s) and regulation(s).

Click here to enter agency response.

- D. Provide a detailed statement of the data and methodology used in estimating the costs used.

Click here to enter agency response.



Proposed

Kansas Administrative Regulations Economic Impact Statement (EIS)

Office of the State Bank Commissioner
Agency

Brock Roehler
Agency Contact

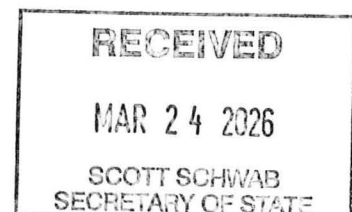
785-379-3892
Contact Phone Number

75-6-38
K.A.R. Number(s)

Permanent Temporary

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

- Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.
- No If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million or more in implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule and regulation over the initial five-year period following adoption of such rule(s) and regulation(s) (as calculated in Section III, F)?
- Yes If "Yes," then the agency shall not adopt the rule(s) and regulation(s) until the rule(s) and regulation(s) has been ratified by the Legislature with a bill, unless the proposed rule(s) and regulation(s) are: 1) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program, as described in K.S.A. 77-416(b)(1)(B), and amendments thereto; 2) temporary rule(s) and regulation(s) adopted pursuant to K.S.A. 77-722, and amendments thereto; or 3) rules and regulations adopted pursuant to K.S.A. 2-3710 (Kansas Agricultural Remediation Board). Continue to fill out the remaining EIS form to be included with the regulation packet in the review process to the Department of Administration and the Attorney General. The submitted EIS will be independently analyzed by the Division of the Budget for approval.
- No If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. The submitted EIS will be analyzed by the Division of the Budget for approval.



Section I

Analysis, brief description, and cost and benefit quantification of the proposed rule(s) and regulation(s). If the approach chosen by the Kansas agency to address the policy issue is different from that utilized by agencies of contiguous states or of the federal government, the economic impact statement shall include an explanation of why the Kansas agency's rule and regulation differs.

K.A.R. 75-6-38 is being amended to remove all mortgage provisions as these statutes moved to the KMBA. K.S.A. 9-2201 *et seq.* Currently, Subsection (a) and (c) apply to all supervised lenders and consumer credit filers regardless of what activity is being conducted. This regulation is now being split into 4 categories to specifically apply to each type of loan activity is being conducted. Subsection (c) will apply to everyone. Subsection (a) will only apply to supervised lenders and consumer credit providers that originate consumer credit transactions. Subsection (b) will only apply to supervised lenders and consumer credit providers that undertake collection of payments. A new subsection (d) will apply to supervised lenders and consumer credit providers that collect on defaulted debt. The end result of these new categories is to fine tune and reduce the bureaucratic retention of inapplicable records. A thorough listing of required records to be maintained makes it easier for an examined company to know what will be reviewed during an examination.

The federal truth in lending act requires retention of most of these records. Colorado has a similar record retention. Missouri, Nebraska, and Oklahoma do not specify the records that are required to be kept and will be reviewed during an examination.

Section II

Explain whether the proposed rule and regulation is mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program and whether the proposed rules and regulations exceed the requirements of applicable federal law.

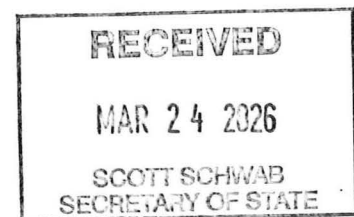
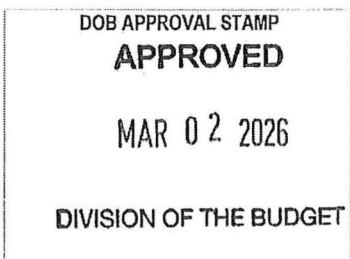
The proposed rules and regulations are neither mandated by federal law nor is it a requirement for participation in any federally subsidized or assisted program. The proposed rules and regulations work in conjunction with applicable federal laws. The requirements are mostly in line with the minimum federal law requirements with a few instances that exceed federal law that assist with an examination or provide document consumer protections as required by state law.

Section III

Agency analysis specifically addressing the following:

- A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

The proposed amendments are expected to have a negligible positive impact on business activities and growth. The current regulation requires every licensee and consumer credit filer to retain all documents, some of which are not applicable to a loan originator or a loan servicer. This regulation now applies the specific documents that are required to be retained for each activity. This will result in less document retention on documents that are not verified during an examination and result in an enhancement of business activities and growth due to a reduction in compliance costs.



Proposed

- B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that will be affected by the proposed rule(s) and regulation(s) and on the state economy as a whole;

It is expected that compliance costs will slightly decrease for each supervised lender and consumer credit filer.

- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);

Supervised lenders, consumer credit filers, document retention companies

- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

It is expected that supervised lenders and consumer credit filers will find it easier to buy and sell consumer credit transactions due to the reduction in document retention requirements. No expected cost.

- E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

N/A.

- F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or individuals. *Note: Do not account for any actual or estimated cost savings that may be realized. Implementation and compliance costs determined shall be those additional costs reasonably expected to be incurred and shall be separately identified for the affected businesses, local governmental units, and individuals.*

Costs to Affected Businesses – \$0

Costs to Local Governmental Units – \$0

Costs to Individuals – \$0

Total Annual Costs – \$0

(sum of above amounts)

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SCOTT SCHWAB
SECRETARY OF STATE

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

Click here to enter agency response.

- Yes
 - No
 - Not Applicable
- If the total implementation and compliance costs exceed \$1.0 million or more in implementation and compliance costs over the initial five-year period following adoption of such rule(s) and regulation(s) that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule and regulation, did the agency hold a public hearing to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

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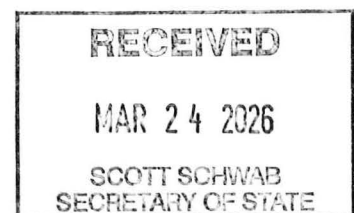
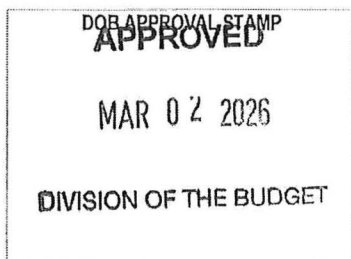
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- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Revenues of cities, counties or school districts will not be affected. The amendments made are intended to streamline, amend, delete or incorporate regulations to ensure continuous compliance by the licensee and protection for the consumer.

- H. Describe how the agency consulted and solicited information from businesses, business associations, local governmental units, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s) or may provide relevant information.

For this round of regulation review, we requested comments from Rocket Mortgage, OneMain Financial, and Mortgage Bankers Association. No objections or concerns were noted. No local government unit, state agency, or institution was consulted.



Section IV

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