

## 2023 Kansas Statutes

**9-554. Powers and duties of the commissioner; enforcement and review.** (a) The Kansas financial institutions information security act shall be implemented, administered and enforced by the commissioner.

(b) (1) The commissioner may conduct:

(A) Routine examinations of the operations of a covered entity; or

(B) investigations of the operations of the covered entity if the commissioner has reason to believe that the covered entity has been engaged or is engaging in any conduct in violation of the Kansas financial institutions information security act.

(2) In furtherance of an investigation or examination, or while enforcing the provisions of the Kansas financial institutions information security act, the commissioner may take such action that is necessary and appropriate, including, but not limited to, the following:

(A) Issue subpoenas and seek enforcement thereof in a court of competent jurisdiction;

(B) assess fines or civil penalties on a covered entity not to exceed \$5,000 per violation and assess costs of the investigation, examination or enforcement action;

(C) censure a covered entity if such covered entity is registered or licensed;

(D) enter into a memorandum of understanding or consent order with a covered entity;

(E) issue a summary order to a covered entity;

(F) revoke, suspend or refuse to renew the registration or licensure of a covered entity;

(G) order a covered entity to cease and desist from engaging in any conduct in violation of the Kansas financial institutions information security act or file for an injunction to prohibit the covered entity from continuing such conduct; or

(H) issue emergency orders if necessary to prevent harm to consumers.

(c) Any enforcement action required or requested under the Kansas financial institutions information security act shall be conducted in accordance with the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto.

(d) Any enforcement action required or requested under the Kansas financial institutions information security act shall be subject to review in accordance with the Kansas judicial review act, K.S.A. 77-601 et seq., and amendments thereto.

**History:** L. 2023, ch. 54, § 4; April 27, 2023.