

HOUSE BILL No. 2253

By Committee on Judiciary

2-9

statute,
rule, regulation, ordinance, or other
enactment of the legislature or of any
unit of local government,

1 AN ACT concerning civil procedure; relating to private rights of action;
2 certain restrictions.

3 *Be it enacted by the Legislature of the State of Kansas:*

4 Section 1. (a) This section shall be known as the
5 transparency in lawsuits protection act and shall be part of and
6 supplemental to the Kansas code of civil procedure.

7 (b) It is the intent of the legislature to ensure that no legislative act,
8 regulatory or otherwise, in this state shall create a private right of action
9 unless such a right is expressly stated in the legislation.

10 (c) Any legislation enacted in this state creating a private right of
11 action shall contain express language providing for such a right. Courts
12 of this state shall not construe a statute to imply a private right of action
13 in the absence of such express language.

14 Sec. 2. This act shall take effect and be in force from and after its
15 publication in the statute book.
16
17

therein

(d) Nothing in this act shall be construed to prevent the breach of any duty imposed by law from being used as the basis for a cause of action under any theory of recovery otherwise recognized by law, including, but not limited to, theories of recovery under the law of torts or contract.