

SENATE BILL No. 122

By Committee on Judiciary

2-5

SB122-Balloon 1
Prepared By: Jason Thompson,
Office of Revisor of Statutes
February 15, 2013

1 AN ACT concerning the Kansas administrative procedure act; service of
2 order or notice; amending K.S.A. 2012 Supp. 77-531 and repealing the
3 existing section.

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

5 Section 1. K.S.A. 2012 Supp. 77-531 is hereby amended to read as
6 follows: 77-531. Service of an order or notice shall be made upon the party
7 and the party's attorney of record, if any, by delivering a copy of the order
8 or notice to the person to be served or by mailing a copy of the order or
9 notice to the person at the person's last known address, *or by such*
10 *electronic notice as may be agreed upon by the parties.* Service shall be
11 presumed if the presiding officer, or a person directed to make service by
12 the presiding officer, makes a written certificate of service. Delivery of a
13 copy of an order or notice means handing the order or notice to the person
14 or leaving the order or notice at the person's principal place of business or
15 residence with a person of suitable age and discretion who works or
16 resides therein. Service by mail is complete upon mailing. *Service by*
17 *electronic notice is complete upon transmission or as otherwise agreed*
18 *upon by the parties.* Whenever a party has the right or is required to do
19 some act or take some proceedings within a prescribed period after service
20 of a notice or order and the notice or order is served by mail, three days
21 shall be added to the prescribed period.

22 Sec. 2. K.S.A. 2012 Supp. 77-531 is hereby repealed.

23 Sec. 3. This act shall take effect and be in force from and after its
24 publication in the statute book.
25

transmission

Electronic

Strikes