

2020 Kansas Statutes

60-4913. Same; definitions. The following definitions apply to this act:

- (a) "Asbestos" has the same meaning as defined in K.S.A. 2020 Supp. 60-4901, and amendments thereto.
- (b) "Asbestos claim" has the same meaning as defined in K.S.A. 2020 Supp. 60-4901, and amendments thereto.
- (c) "Asbestos trust" means a government-approved or court-approved trust, qualified settlement fund, compensation fund or claims facility created as a result of an administrative or legal action, a court-approved bankruptcy, or pursuant to 11 U.S.C. § 524(g) or § 1121(a) or other applicable provision of law, that is intended, in whole or in part, to provide compensation to claimants arising out of, based on, or related to the health effects of exposure to asbestos.
- (d) "Plaintiff" means the person bringing the asbestos claim, including a personal representative if the asbestos claim is brought by an estate, or a conservator or next friend if the asbestos claim is brought on behalf of a minor or legally incapacitated individual, and any person who is representing the plaintiff or has a fiduciary duty to the plaintiff for the action, including the plaintiff's representatives, agents, counsel and assigns.
- (e) "Trust claim materials" means all documents and information filed or submitted by or on behalf of the plaintiff as part of or related to a claim against an asbestos trust, including a final executed proof of claim, claim forms and supplementary materials, affidavits, depositions and trial testimony, work history, medical and health records, documents demonstrating asbestos exposure or the health effects of exposure to asbestos or the validity of a trust claim or other materials that an asbestos trust requires in order to support the trust claim, documents reflecting the status of a claim against an asbestos trust, and, if the trust claim has settled, all documents relating to the settlement of the asbestos trust claim.
- (f) "Trust governance documents" means all documents that relate to eligibility and payment levels, including claims payment matrices, trust distribution procedures, or plans for reorganization, for an asbestos trust.

History: L. 2018, ch. 25, § 2; July 1.