

**Kansas Administrative Regulations  
Agency 40. Insurance Department  
Article 3. Fire and Casualty Insurance**

**K.A.R. 40-3-6. Fire and casualty insurance; rates and forms; fictitious classification prohibited.** (a) No insurer writing Kansas risks shall write fire, casualty, inland marine, or surety coverage upon any firm, corporation, individual, or association of individuals at any preferred rate, coverage, or premium based on any fictitious grouping or classification of risks.

A fictitious grouping or classification of risks shall mean risks that meet the following conditions:

(1) Are inconsistent with the classification or grouping of risks recognized by an insurer's approved rate and policy form filings for individual risks;

(2) do not possess the necessary homogeneous characteristics for group rating and classification; and

(3) do not comply with the provisions of the Kansas insurance code. (Authorized by K.S.A. 40-103, 40-961; implementing K.S.A. 40-953, 40-954; effective Jan. 1, 1966; amended Jan. 1, 1967; amended May 1, 1979; amended May 1, 1986; amended September 3, 2004.)