

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

40-3-7 Fire and casualty insurance; mutual insurers; reciprocal interinsurance exchanges; capital stock insurers issuing participating policies; dividends; requirements.

(a) Each fire and casualty insurance contract issued in Kansas by a mutual insurer or reciprocal interinsurance exchange, and each participating fire and casualty insurance contract issued in Kansas by a capital stock insurer, shall contain a provision stating that dividends may be paid on the policy.

(b) A capital stock insurer shall not issue participating policies in Kansas unless:

(1) Issuance authority exists in its charter or articles of incorporation;

(2) The supreme court of its state of domicile has held that a domestic capital stock insurer has inherent authority to issue participating policies; or

(3) The attorney general or chief legal official of its state of domicile has ruled that a domestic capital stock insurer has inherent authority to issue participating policies.

(Authorized by K.S.A. 40-103, 40-216; implementing K.S.A. 40-901, 40-1102, 40-1501, 40-1603, 40-1008; effective Jan. 1, 1966; amended May 1, 1979; amended May 1, 1986.)