

KANSAS Kan. Stat. Ann. § 16a-2-404 as amended by 2005 Kansas Legis. 144 (eff. April, 2005)

Applicability: To consumer loan transactions in which cash is advanced, with a short term, a single repayment is anticipated, and in an amount less than \$500 (which amount is adjustable based upon an index). Otherwise, UCCC applies, Kan. Stat. Ann. § 16a-2-401 (36% per year on \$860 or less; 21% per year on the excess).

Licensing requirements: Same as under UCCC. Consumer credit commissioner enforces.

Permitted charges: 15% of the amount loaned. On a consumer loan transaction in which cash is advanced in exchange for a personal check, a return check charge may be charged if the check is deemed insufficient.

Prohibited acts: Any loan made under this section cannot be paid by proceeds of another loan by the same lender nor can the proceeds from any loan under this section be applied to any other loan from the same lender or related lender. The post-maturity contract rate of any loan cannot exceed 3% per month of the loan proceeds. No insurance charges or other charges are permitted, including any charges for cashing the loan proceeds if they are given in check form, unless expressly provided in this section. To determine whether a consumer loan transaction is unconscionable, consideration shall be given to the ability of the borrower to repay within the terms of the loan made under this section or the original request of the borrower for amount and term of the loan are within the limitations under this section.

Loan terms: Amount of loan limited to \$500. The maximum term of any loan must be 30 days.