

CHAPTER 52

SENATE BILL No. 423

AN ACT concerning civil procedure; relating to the notice of filing of a foreign judgment; amending K.S.A. 60-3003 and repealing the existing section.

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

Section 1. K.S.A. 60-3003 is hereby amended to read as follows: 60-3003. (a) At the time of the filing of the foreign judgment, the judgment creditor or ~~his or her~~ *the judgment creditor's* lawyer shall make and file with the clerk of the district court an affidavit setting forth the name and last known post-office address of the judgment debtor, and the judgment creditor.

(b) Promptly upon the filing of the foreign judgment and the affidavit, ~~the clerk of the district court~~ *judgment creditor or the judgment creditor's lawyer* shall mail notice of the filing of the foreign judgment to the judgment debtor at the address given ~~and shall make a note of the mailing in the docket.~~ The notice shall include the name and post-office address of the judgment creditor and the judgment creditor's lawyer, if any, in this state. In addition, the judgment creditor may mail a notice of the filing of the judgment to the ~~judgment debtor~~ *clerk of the district court* and may file proof of mailing with the clerk of the district court. ~~Lack of mailing notice of filing by the clerk of the district court shall not affect the enforcement proceedings if proof of mailing by the judgment creditor has been filed.~~

Sec. 2. K.S.A. 60-3003 is hereby repealed.

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

Approved April 8, 2008.

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