

SESSION OF 2010

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2718

As Recommended by House Committee on
Education Budget

Brief*

HB 2718 amends current law to clarify that the Legislative Counsel is to represent the Legislature in any litigation or other cause or matter at the direction of the Legislative Coordinating Council, and not just in school finance litigation cases. The bill would require the Office of Revisor of Statutes to investigate any alleged violation before a party could file any legal action alleging the Legislature has violated Article 6 of the *Kansas Constitution*, which deals with education.

Background

The bill was introduced by the Committee on Appropriations. There were no proponents or opponents testifying at the hearing on the bill in the House Education Committee.

The Division of the Budget fiscal note stated that additional staff time would be needed by the Office of Revisor of Statutes to investigate alleged constitutional violations; however, the fiscal note went on to indicate that it would be difficult to estimate the cost of an event when it is not known if and when a notice of violation might be filed and what depth of investigation might be required. The Revisor of Statutes indicated the agency would perform the necessary work within current resources, unless the Legislative Coordinating Council would direct otherwise. Any fiscal effect associated with the bill is not reflected in *The FY 2011 Governor's Budget Report*.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>