

January 28, 2025

The Honorable Kellie Warren, Chairperson
Senate Committee on Judiciary
300 SW 10th Avenue, Room 346-S
Topeka, Kansas 66612

Dear Senator Warren:

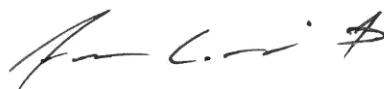
SUBJECT: Fiscal Note for SB 61 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 61 is respectfully submitted to your committee.

SB 61 would require that, upon a plaintiff's successful appeal of an eminent domain taking by an electric public utility in which a jury or master renders a verdict for the landowner in an amount greater than the appraisers' award, the utility must pay the plaintiff or landowner's attorney fees.

The Office of Judicial Administration indicates enactment of the bill could increase the number of cases filed in district courts because the certainty of recouperation of attorney fees may lead to an increase in the number of plaintiff appeals. This would increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. The bill could also result in the collection of additional docket fees in cases filed under the provisions of the bill, which would be deposited into the State General Fund. However, a precise fiscal effect cannot be estimated. Any fiscal effect associated with SB 61 is not reflected in *The FY 2026 Governor's Budget Report*.

Sincerely,



Adam C. Proffitt
Director of the Budget

cc: Trisha Morrow, Judiciary