

January 25, 2011

The Honorable Lance Kinzer, Chairperson  
House Committee on Judiciary  
Statehouse, Room 165-W  
Topeka, Kansas 66612

Dear Representative Kinzer:

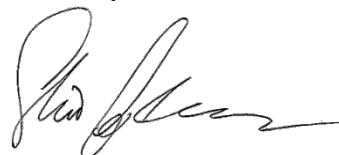
SUBJECT: Fiscal Note for HB 2027 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2027 is respectfully submitted to your committee.

HB 2027 would make several changes to the Rules and Regulations Filing Act. The bill states that only rules and regulations that comply with the requirements of the Act would be legally binding. The bill also describes that an agency can bind parties through orders following adjudications, adopt internal agency policies, provide forms, and provide guidance or information to the public. HB 2027 lists items that would not be subject to the Act. The bill also eliminates the list of agency actions excluded from the definition of "rule and regulation" and simplifies the definition of "rule and regulation." This legislation would also allow an agency to issue a guidance document to adopt rules and regulations. This document would not have to follow the procedures of the Act. Each agency would have to maintain and publish an index of all effective guidance documents on the agency's website.

The Department of Administration states that the passage of HB 2027 would have no fiscal effect on its budget. Passage of HB 2027 would require the Office of the Attorney General to publish its guidance document on its website. Any expense associated with the publication would be negligible and could be absorbed within its existing budget. Any other state agency that has a guidance document would also have to publish it on the agency's website. It is assumed that any associated expense would also be negligible and could be absorb within the agency's budget.

Sincerely,



Steven J. Anderson, CPA, MBA  
Director of the Budget

cc: Pat Higgins, Administration  
Diane Duffy, Board of Regents  
Keith Bradshaw, JJA

Linda Durand, KBI  
Jeremy Barclay, KDOC  
Christy Myers, Secretary of State's Office