

February 14, 2012

The Honorable Tim Owens, Chairperson  
Senate Committee on Judiciary  
Statehouse, Room 559-S  
Topeka, Kansas 66612

Dear Senator Owens:

**SUBJECT:** Fiscal Note for SB 366 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 366 is respectfully submitted to your committee.

SB 366 relates to garnishment and would remove the requirement in current law that a garnishee must file the complete garnishment answer form with the clerk of the court for mailing to the judgment creditor. The bill would require the garnishee to send the answer and payment to the judgment creditor unless otherwise ordered by the court. The judgment creditor would also be responsible for the prompt refund to the judgment debtor for any overpayment of the claim. In addition, the garnishee would not be liable to any judgment creditor or judgment debtor and would not be assessed any penalty by reason of any action taken in good faith.

The Office of Judicial Administration states that the passage of SB 366 would save the court time for copying and costs of mailing information regarding garnishments. At this time, the Judicial Branch is not able to accurately estimate the fiscal effect on expenditures. Any fiscal effect associated with SB 366 is not reflected in *The FY 2013 Governor's Budget Report*.

Sincerely,



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

cc: Mary Rinehart, Judiciary