

UPDATED
SESSION OF 2012

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2396

As Recommended by
House Committee on Appropriations

Brief*

HB 2396 would abolish the Commission on Judicial Performance within the Kansas Judicial Council, eliminate the requirement to transfer a percentage of docket fees assessed by the district court to the Judicial Performance Fund, and transfer all remaining monies and liabilities from the Judicial Performance Fund to the State General Fund.

Background

No proponents spoke in support of the bill. Opponents of HB 2396 included Richard Hayse with the Kansas Commission on Judicial Performance, Judge Nancy Parrish, and Whitney Damron with the Kansas Bar Association. Opponents of the bill indicated the Judicial Performance Commission was created in 2006 to provide citizen input to the Judiciary to assist judges in effectively communicating with Kansas citizens. Opponents also indicated increased participation in judicial elections supported the contention that the Commission was achieving its goals.

Subsequent to passage of this bill from the House Appropriations Committee, the 2011 Legislature transferred \$778,518 from the Judicial Performance Fund to the Judicial Branch Surcharge Fund. This transfer reduced the projected fiscal impact in FY 2012 to \$240,649 after adjusting for new revenue data and actual expenditures in FY 2011.

*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>

The passage of the bill would result in a net increase in revenue to the State General Fund of approximately \$240,649 in FY 2012 and \$933,259 in FY 2013.

The fiscal note for HB 2396, as introduced, indicated current law provides for 3.05 percent of the Judiciary's Docket Fees be transferred to the Judicial Performance Fund. The bill would eliminate this transfer and approximately \$720,000 per year would flow into the State General Fund. The fiscal note also indicated all remaining funds and liabilities of the Judicial Performance Fund would be transferred to the State General Fund, thereby increasing State General Fund revenue by \$785,550 in FY 2012.