

SESSION OF 2012

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 297**

As Recommended by Senate Committee on  
Judiciary

**Brief\***

SB 297 would amend KSA 2011 Supp. 23-2601, which sets forth a list of property that remains the sole and separate property of a married person, notwithstanding the marriage. The amendment would eliminate an exception from this list for gifts received from the person's spouse, thus including spousal gifts in the list of sole and separate property. Exceptions would be added for transfers that violate the Statute of Frauds and Uniform Fraudulent Transfer Act.

**Background**

SB 297 was introduced by the Senate Judiciary Committee at the request of the Kansas Judicial Council. The bill is identical to 2011 SB 44, which was requested by the Kansas Bar Association, considered by the Senate Judiciary Committee, and referred to the Kansas Judicial Council for study.

In the Senate Judiciary Committee, a representative of the Kansas Judicial Council spoke in support of the bill. The Kansas Bar Association submitted written testimony supporting the bill. The Committee recommended the bill be passed.

The fiscal note on the bill states the bill would have no fiscal effect on the state. It may affect the finances of individuals under relevant circumstances.

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\*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>