

SESSION OF 2012

SUPPLEMENTAL NOTE ON SENATE BILL NO. 322

As Amended by Senate Committee on Judiciary

Brief*

SB 322, as amended, would extend for one fiscal year the judicial surcharge the Legislature authorized in 2010 Senate Sub. for HB 2476 to fund non-judicial personnel.

Additionally, the bill would amend the statutes governing hospital lien fees and wildlife and parks reinstatement fees to allow a \$22 judicial surcharge under those statutes. These provisions also would clarify that only fees authorized by the Legislature may be imposed under those statutes. Finally, the fee the clerks of the district courts could charge for entering and filing hospital lien statements would be increased from \$5 to \$14.

(Note: the bill appears to make additional changes, including increases in surcharge amounts. These amendments are already current law but are included in this bill to reconcile different versions of the statutes in which they appear.)

The bill would be in effect upon publication in the *Kansas Register*.

Background

The Senate Judiciary Committee introduced SB 322 at the request of the Kansas Judicial Branch. In the Senate Judiciary Committee, a representative of the Judicial Branch testified in support of the bill. The Kansas Bar Association

*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>

provided written testimony supporting the bill. The Kansas Credit Attorneys Association submitted neutral written testimony. The Committee amended the bill to include the surcharge in the wildlife and parks reinstatement fee statute, as requested by the Judicial Branch conferee. The Committee recommended the bill be passed as amended.

The fiscal note on the bill states the bill would increase lien fees in a small but undetermined amount. The surcharge has been taken into account in the FY 2013 budget. Previous estimates for FY 2012 of \$11 million in surcharge revenue have now been revised to \$10 million, but this is not the product of this bill. Any fiscal effect associated with the bill is not reflected in *The FY 2013 Governor's Budget Report*.