

January 24, 2013

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

Dear Representative Kinzer:

SUBJECT: Fiscal Note for HB 2028 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2028 is respectfully submitted to your committee.

HB 2028 would allow any forfeiture proceeding brought by the Attorney General to be filed in District Court of Shawnee County, Kansas, regardless of the location of the seizure. Interest holders may request the proceeding be relocated elsewhere where there is proper venue.

The Attorney General notes that HB 2028 could result in some cost savings from reduced travel but the amount cannot be accurately estimated. The Office of Judicial Administration thinks that the bill could increase the number of change of venue hearings related to forfeiture of property, particularly if the Attorney General would decide to file forfeiture actions in Shawnee County and if property or interest holders would, in turn, decide to challenge venue in Shawnee County. If a significant number of proceedings were to be filed in Shawnee County the need for additional judicial and non-judicial staffing in Shawnee County could result. The potential increase in change of venue hearings would increase time spent by district court judicial and non-judicial personnel in processing, researching and hearing cases. However, until the courts have had an opportunity to operate under the provisions of the bill, an accurate estimate of the fiscal effect on expenditures by the Judicial Branch cannot be given.

Sincerely,



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

cc: Mary Rinehart, Judiciary
Willie Prescott, Attorney General's Office