

January 23, 2014

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

Dear Representative Kinzer:

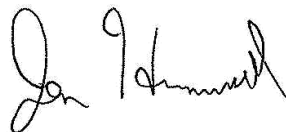
SUBJECT: Fiscal Note for HB 2449 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2449 is respectfully submitted to your committee.

Current law states that when the State Historical Preservation Officer determines that a project will damage or destroy an historic property included in the National Register of Historic Places or the Register of Historic Kansas Places, the project cannot proceed until the Governor or governing body of a political subdivision has made a determination based on a consideration of all relevant factors that there is no feasible and prudent alternative to the proposal and that the project includes all possible planning to minimize harm to the property. Any person aggrieved by the Governor's determination could seek a review of the decision as under current law. HB 2449 would make clarifying changes to the law to require that the Governor's decision be based only on substantial evidence that the project is planned to minimize harm. The bill would also clarify that the person who could seek a review of the Governor's decision must be an applicant of the proposed project or any owner of an historic property who is directly involved with the proposed project.

According to the Kansas State Historical Society, passage of HB 2449 would have no fiscal effect.

Sincerely,



Jon Hummell,  
Interim Director of the Budget

cc: Matthew Chappell, Historical Society