

SESSION OF 2013

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2015

As Amended by Senate Committee on Judiciary

Brief*

HB 2015 would amend the list of property that remains the sole and separate property of a married person, notwithstanding the marriage, to eliminate an exception for gifts received from the person's spouse. Spousal gifts thus would be included in the list of sole and separate property. Exceptions would be added, however, for transfers that violate the Statute of Frauds and Uniform Fraudulent Transfer Act. The bill also would make a technical amendment to the law concerning service of process in a dissolution of marriage proceeding to correct a reference changed during the domestic recodification enacted in 2011.

Background

The bill was introduced by the House 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 Judicial Council for study; and to 2012 SB 297, which was introduced by the Senate Judiciary Committee at the request of the Judicial Council and passed by the Senate.

In the House Judiciary Committee, a representative of the Judicial Council appeared as a proponent, and the Kansas Bar Association offered written testimony in support of the bill. No others offered testimony.

*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 same conferees offered testimony in the Senate Judiciary Committee. The Senate Committee amended the bill to add the contents of HB 2259.

The fiscal note provided by the Division of the Budget indicates passage of HB 2015 would have no impact on the Judicial Branch.

HB 2259 Background

HB 2259 was introduced at the request of the Office of the Revisor of Statutes to correct a reference changed during the domestic recodification enacted in 2011. No proponents or opponents offered testimony in the House or Senate Committees on Judiciary.

The House Committee recommended the bill be placed on the consent calendar.

The fiscal note provided by the Division of the Budget indicates passage of HB 2259 would have no fiscal effect.