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February 5, 2015

To: House Committee on Appropriations

From: Justin Carroll, Fiscal Analyst

Re: HB 2135--The Claims Bill

HB 2135

Excluding Motor Vehicle Fuel Tax Refund claims, during the 2014 Interim, the Joint Committee on Special Claims Against the State heard 85 claims, of which 73 claims, or 85.9 percent, were filed against the Department of Corrections or the correctional facilities. Claims also were filed against the Adjutant General, the Board of Indigents' Defense Services, the Kansas State Fair, Larned State Hospital, Osawatomie State Hospital, the State of Kansas, the Third Judicial District Court, and the University of Kansas.

The Committee's recommendations in HB 2135 total payments of \$43,961.05. Of this amount, \$2,682.21 would be paid from existing funds and \$41,278.84 from the Motor Vehicle Fuel Tax Refund Fund. A summary of the provisions of the bill follows.

Section 1, page 1

Outlines FY 2015 as the year in which claims will be paid.

Section 2, pages 1-2

The Committee's recommendation includes payment of \$2,475.21 from the Department of Corrections or the correctional facilities. Of this amount, the majority, \$1,489.61, was for damage to the vehicle of an employee by a cement parking stop. There also was a lost book, various canteen items, two televisions, two MP3 players, three pairs of headphones, three pairs of shoes, two fans, three pairs of shorts, one sweatshirt, one pair of sweatpants, one lamp, and one watch.

Section 3, pages 2-3

The Committee's recommendation includes payment of \$207 from the Larned State Hospital for inadequate medical care and property loss.

Section 4, pages 3-4

The Committee's recommendation includes payment of Motor Fuel Tax Claims totaling \$41,278.84. Refunds paid by the Department of Revenue must be received within one year after the date of purchase. If the refund request is submitted after that date, the only option is to file claim with Joint Committee on Claims Against the State. Refunds are allowed for taxes paid on fuel used for off-highway uses, including school buses and farming.

Section 5, pages 4-5

Requires signed releases prior to payment being made.

Section 6, page 5

The bill is effective upon publication in the *Kansas Register*.

JC/db