

February 26, 2015

The Honorable John Barker, Chairperson  
House Committee on Judiciary  
Statehouse, Room 149-S  
Topeka, Kansas 66612

Dear Representative Barker:

**SUBJECT:** Fiscal Note for HB 2276 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2276 is respectfully submitted to your committee.

HB 2276 would remove a provision in current law that expressly authorizes the Legislature to take a specific tract or tracts of land that has been identified and the compensation that must be paid with it.

The bill would also make a change regarding the court's allowance of attorney fees in situations where a plaintiff condemner appeals the award of a court-appointed appraiser and the jury's verdict is in favor of the landowner in an amount greater than the appraiser's award. Current law makes the court's allowance of attorney fees to the landowner's attorney discretionary. HB 2276 would instead mandate that the court allow as court costs an amount to be paid to the landowner's attorney as attorney fees.

According to the Office of Judicial Administration, passage of HB 2276 would have no fiscal effect upon the Judicial Branch. The Kansas Department of Transportation states any additional expenditures resulting from the passage of HB 2276 could be absorbed within existing resources. Any fiscal effect associated with HB 2276 is not reflected in *The FY 2016 Governor's Budget Report*.

Sincerely,



Shawn Sullivan,  
Director of the Budget

cc: Mary Rinehart, Judiciary  
Ben Cleeves, Transportation  
Larry Baer, League of Municipalities