

January 28, 2015

The Honorable Jeff King, Chairperson
Senate Committee on Judiciary
Statehouse, Room 341-E
Topeka, Kansas 66612

Dear Senator King:

SUBJECT: Fiscal Note for SB 59 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 59 is respectfully submitted to your committee.

SB 59 would clarify that a district magistrate judge may hear all cases resulting from wildlife and parks violations. District magistrate judges would have jurisdiction over all cases filed under the Kansas Code of Civil Procedure for Limited Actions, with certain exceptions provided in statute. For cases filed outside the Kansas Code of Civil Procedure for Limited Actions, the bill clarifies that a district magistrate judge does not have jurisdiction unless there is consent by the parties in the following matters:

1. Any action, other than an action seeking judgment for an unsecured debt arising out of a contract for the provision of goods, services, or money, in which the amount in controversy exceeds \$10,000;
2. Actions against officers of the state for misconduct in office;
3. Actions for specific performance of real estate contracts;
4. Actions in which title to real estate is sought to be recovered or in which an interest in real estate is sought to be established;
5. Actions to foreclose real estate mortgages or to establish and foreclose liens on real estate;
6. Contested actions for divorce, separate maintenance or custody of minor children;
7. Habeas corpus;
8. Receiverships;

9. Declaratory judgments;
10. Mandamus and *quo warranto*;
11. Injunctions;
12. Class actions; and
13. Actions for commitment of sexually violent predators.

SB 59 would apply to every action or proceeding on or after July 1, 2014 and would take effect upon publication in the *Kansas Register*. The bill includes technical amendments.

The Office of Judicial Administration indicates that SB 59 would have no fiscal effect on the Judicial Branch, but clarifies amendments made in 2014 HB 2065 regarding jurisdiction of district magistrate judges. The Kansas Department of Wildlife, Parks and Tourism indicates that SB 59 would have no fiscal effect on agency operations.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a long horizontal line extending to the right.

Shawn Sullivan,
Director of the Budget

cc: Mary Rinehart, Judiciary
Chris Tymeson, WP&T