

March 3, 2020

The Honorable Fred Patton, Chairperson
House Committee on Judiciary
Statehouse, Room 519C-N
Topeka, Kansas 66612

Dear Representative Patton:

SUBJECT: Fiscal Note for HB 2719 by House Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2719 is respectfully submitted to your committee.

HB 2719 would amend current law by adding the costs of collection incurred by the court trustee to the definition of “debts owed to courts.” The bill would allow the court trustee, upon approval by the chief judge, to enter into contracts with the judicial administrator for the collection of debts, except no court trustee would be required to contract for collections in any judicial district where the court trustee is appointed. Also, under the bill, a court trustee could require a fee to be paid to or retained by the court trustee for cost of collection of debts owed to the courts in the trustee’s judicial district. The fee could not exceed 33.0 percent of the amount collected. The cost of collection would be paid from the amount collected but would not be deducted from the debts owed to the courts or restitution.

The Office of Judicial Administration states enactment of HB 2719 could have a fiscal effect on Judicial Branch expenditures. The bill’s provisions potentially could increase the workload of the district court clerks in districts where the court trustee would collect debts. According to the Office, a fiscal effect on expenditures cannot be estimated.

The Office indicates enactment of the bill would have a fiscal effect on Judicial Branch revenues. The bill’s provisions would not require the appointed court trustee to contract with the judicial administrator for the collection of debts. The court trustee would not be required to remit the 1.0 percent fee of all debts collected to the Judicial Branch. This would result in a decrease of revenue to the Judicial Branch Nonjudicial Salary Initiative Fund. This fund is used to pay 50.0 percent of the salary of the Debt Collection Specialist who manages the debt collection contracts.

During FY 2019, court trustees remitted approximately \$20,000 in administrative costs to the Office. This amount could vary year-to-year based on the amounts of debts collected. Any fiscal effect associated with HB 2719 is not reflected in *The FY 2021 Governor's Budget Report*.

Sincerely,

A handwritten signature in cursive script that reads "L. L. Campbell". The signature is written in black ink and is positioned above the printed name and title.

Larry L. Campbell
Director of the Budget

cc: Mary Rinehart, Judiciary
Jay Hall, Association of Counties