

February 28, 2023

The Honorable Fred Patton, Chairperson  
House Committee on Judiciary  
300 SW 10th Avenue, Room 582-N  
Topeka, Kansas 66612

Dear Representative Patton:

**SUBJECT:** Fiscal Note for HB 2379 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2379 is respectfully submitted to your committee.

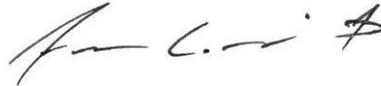
HB 2379 would amend current law by removing provisions that prohibit the court from entering a protection from abuse order against the plaintiff, unless the defendant properly files a written cross or counter petition seeking a protection order; the plaintiff had reasonable notice of the cross or counter petition by personal service; and the court made specific findings of abuse against both the plaintiff and defendant that both parties acted primarily as aggressors and neither party acted in self-defense. The bill would specify if a court issues an order, the court would also issue an order restraining the plaintiff from abusing, molesting, or interfering with the privacy or rights of the defendant. The order would be required to state that if the order is violated, the violation may constitute violation of a protective order.

The bill would also specify that if the court issues an order, the court would also issue an order restraining the plaintiff from harassing, telephoning, contacting, or communicating with the defendant. The order would be required to state that if the order is violated, the violation may constitute violation of a protective order.

The Office of Judicial Administration states enactment of HB 2379 could increase the number of cases filed in district court because the bill's provisions expand the number of people who may commit a crime, which would increase the time spent by judges and court employees processing and hearing cases. Since a portion of the crime carries a misdemeanor penalty, there could be additional supervision of offenders required to be performed by court service officers. The Office estimates that enactment of the bill could result in the collection of supervision fees, docket fees, and fines in those cases filed under the bill's provisions, which could be credited to

the State General Fund. According to the Office, a fiscal effect cannot be estimated until the Judicial Branch has had an opportunity to operate under the bill's provisions. Any fiscal effect associated with HB 2379 is not reflected in *The FY 2024 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt  
Director of the Budget

cc: Vicki Jacobsen, Judiciary