

February 16, 2023

The Honorable Kellie Warren, Chairperson
Senate Committee on Judiciary
300 SW 10th Avenue, Room 346-S
Topeka, Kansas 66612

Dear Senator Warren:

SUBJECT: Fiscal Note for SB 243 by Senate Committee on Judiciary

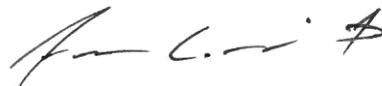
In accordance with KSA 75-3715a, the following fiscal note concerning SB 243 is respectfully submitted to your committee.

SB 243 would specify who is allowed to represent minors when entering into a settlement agreement in which the minor has a claim. The bill outlines the circumstances in which a legal guardian could represent a minor, which include the amount due to the minor, the nature of the payment to be made to the minor, and the person's attestation by affidavit or verified statement to the fulfillment of certain requirements. The attorney representing the person entering into a settlement on behalf of a minor would be required to keep the person's affidavit or verified statement for five years. The settlement agreement would be binding upon the minor without court review or approval.

The bill outlines the requirements for payment of the settlement. For a child in state custody, the Department for Children and Families would be required to establish a restricted trust account that earns interest on the minor's behalf. The monies in the minor's restricted trust account could only be paid out pursuant to a court order, upon the minor turning 18 years of age, or the minor's death.

The Office of Judicial Administration states enactment of the bill would have a negligible fiscal effect on Judicial Branch operations. The Department for Children and Families states enactment of the bill would not have a fiscal effect on agency operations.

Sincerely,



Adam Proffitt
Director of the Budget

cc: Kim Holter, DCF
Vicki Jacobsen, Judiciary