

SESSION OF 2023

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2127

As Recommended by House Committee on
Judiciary

Brief*

HB 2127 would amend the Kansas Probate Code's provisions concerning notice of probate hearings and sales of probate real estate.

Probate Hearings

The bill would remove the requirement that the first publication of notice be made within 10 days after the court order setting the time and place of the hearing. Continuing law requires such notice to be published once weekly for three consecutive weeks.

The bill would also amend the time period requirements for the hearing date to be at least 10 days after the date of the last publication of notice.

Sale of Probate Real Estate

The bill would amend the time period requirements for the sale date to be at least 10 days after the date of the last publication of notice.

Technical Amendments

The bill would make technical amendments to ensure consistency in statutory phrasing.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

The bill was introduced by the House Committee on Judiciary at the request of a representative of the Kansas Judicial Council.

House Committee on Judiciary

During the House Committee hearing on January 31, 2023, a representative of the Kansas Judicial Council testified as a **proponent** of the bill, stating the bill would balance providing more flexibility in how notice is provided with allowing parties plenty of notice before hearings and sales. No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, the Office of Judicial Administration states enactment of the bill would have a negligible fiscal effect on Judicial Branch operations.

Kansas Probate Code; publication; mailing; hearing date; public auction; probate hearing; notice; sale