

January 19, 2016

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

Dear Senator King:

SUBJECT: Fiscal Note for SB 320 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 320 is respectfully submitted to your committee.

The 2015 Legislature enacted HB 2005 which, among other provisions, appropriates funding and authorizes expenditures for Judicial Branch operations. The legislation also includes a nonseverability clause, which declares the entire act null and void if any of its provisions, or any provision of 2014 HB 2338 is held to be invalid or unconstitutional, or if Judicial Branch appropriations are reduced below the approved amounts.

On December 23, 2015, the Kansas Supreme Court rejected a provision in 2014 HB 2338 that called for local district court judges to elect their own chief judges, and as a result, invalidating the entire bill including the Judiciary's budget for FY 2016 and FY 2017.

SB 320 would enact a severability clause declaring that, if any provision of 2015 HB 2005 is held to be invalid or unconstitutional, all other provisions would remain in force and effect. The bill would be in effect upon its publication in the *Kansas Register*.

The passage of SB 320 would allow the Judicial Branch budget to remain intact. The Judicial Branch budget authorized by the enactment of 2015 HB 2005 is included in *The FY 2017 Governor's Budget Report*.

Sincerely,



Shawn Sullivan,
Director of the Budget

cc: Ashley Michaelis, Judiciary