

To: Senate Judiciary Committee

From: Amanda L. Stanley, Legal Counsel

Date: January 17, 2017

RE: Support of SB 10

I want to thank Chairman Wilborn and the Committee members for allowing the League of Kansas Municipalities the opportunity to provide testimony in support of SB 10.

SB 10 amends K.S.A. 58-4301 which deals with the filing of liens or claims against real or personal property. The bill would prohibit an individual from re-filing liens or claims that have already been set aside by the court without judicial approval. The bill would also make it unlawful for any person to file a false lien or claim against the real or personal property of a public official when he or she knows or reasonably should know that the lien or claim is false or contains any materially false, fictitious or fraudulent statements or representations. Public officials would include public officers, candidates for public office or public employees.

We have heard concerns from city managers and city clerks across the state about self-proclaimed sovereign citizens filing fictitious liens against city employees and city officials in retaliation for legitimate exercises of municipal authority. While K.S.A. 58-4301 currently provides a mechanism for nullifying these fraudulently filed liens, SB 10 adds additional protections against repeated filings. It also adds necessary criminal penalties to dissuade these types of filings.

Based on these reasons, the League of Kansas Municipalities feels SB 10 will provide additional needed protection for municipal officials and employees. We respectfully request the Committee pass SB 10 to the full Senate.