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MEMORANDUM

To: Senator McGinn and members of the Ways and Means Committee

From: Zach Fridell, Assistant Revisor of Statutes

Date: May 4, 2017

Subject: **HB 2407, duties of the attorney general and the secretary of administration concerning certain real estate transfers.**

House Bill 2407 would place restrictions on the transfer of property to the state.

Subsection (a) states that if property is to be transferred to the state through a probate proceeding, the secretary of administration and the attorney general must both give written prior consent. If the property is given to the state in another manner, the secretary of administration and the agency or instrumentality receiving the property must give written prior consent.

Subsection (b) states that if property is transferred to the state in either of those manners without the required consent, the attorney general may bring a proceeding to declare the transfer void or seek other relief.

Subsection (c) defines an agency as any state office, department, board, commission, bureau or any other state authority, but excludes the University of Kansas, Kansas State University, Wichita State University, Emporia State University, Pittsburg State University and Fort Hays State University.

The House General Government Budget Committee amended the definition of "agency" to exclude community colleges as well. There were no other amendments adopted.

This would take effect upon its publication in the Kansas Register.