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**Testimony of Office of Attorney General on House Bill 2407  
Presented to the Senate Ways and Means Committee  
By Chief Deputy Attorney General Jeff Chanay**

**May 4, 2017**

Chairman McGinn and members of the Committee, thank you for the opportunity to testify in support of the passage of House Bill 2407.

HB 2407 is designed to prevent real property owners from bequeathing or gifting real property to the State of Kansas without the express, written consent of defined state officials. In the case of bequests of real property administered through probate proceedings, the consent of the Secretary of Administration and Attorney General will be required. In the case of transfers of real property without consideration (primarily gifts), the consent of the Secretary of Administration and the agency or instrumentality receiving the real property will be required.

The bill authorizes the Attorney General to bring a civil action to declare any transfer in violation of the law void from the beginning (*ab initio*). The bill also provides that the state regents institutions and community colleges are exempt from the consent requirement.

The Office of Attorney General believes that this bill will protect the state from taking on any potential obligations or liabilities attendant to real property ownership without consent.

Thank you and I will stand for questions.

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