

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE BILL NO. 2131**

As Agreed to April 4, 2023

Brief*

HB 2131 would create law concerning the mission of the Judicial Council and amend law related to Judicial Council funds.

Judicial Council Mission

The bill would provide that the mission of the Kansas Judicial Council (Council) is to study the administration of justice in Kansas and make recommendations for improvements therefor.

[*Note:* Currently, the statute provides that it shall be the continuous duty of the Council to survey and study the judicial branch of the state and recommend improvements in the administration of justice.]

Judicial Council Funds

The bill would shift deposit of docket fees previously credited to the Judicial Council Fund to the State General Fund (SGF). Currently, the Council receives 0.99 percent of docket fees. The bill would also remove statutory provisions that direct the State Treasurer to credit 0.99 percent of revenues from docket fees to the Judicial Council Fund.

Abolishment of Judicial Council Fund

The bill would require the Director of Accounts and Reports (Director) to transfer all moneys in the Judicial Council Fund to the SGF on July 1, 2023, and subsequently abolish the fund.

Publications Fee Fund Transfer

The bill would also require the Director to transfer all publication fees collected by the Council to be deposited in the State Treasury and credited to the SGF. In addition, the bill would

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require all moneys received as gifts, grants, or donations for the preparation, publication, or distribution of legal publications to be deposited in the State Treasury and credited to the Publications Fee Fund.

Technical Amendments

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

Conference Committee Action

The Conference Committee agreed to the provisions of HB 2131 as passed by the House, concerning the Judicial Council mission, and agreed to include the contents of HB 2184, as amended by the Senate Committee of the Whole, relating to Judicial Council funds. The Conference Committee further agreed to amend provisions of HB 2184 pertaining to the Publications Fee Fund by specifying that certain fees are to be credited to the State General Fund.

Background

The Conference Committee agreed to the provisions of HB 2131 and agreed to amend and include the contents of HB 2184.

HB 2131 (Judicial Council Mission)

HB 2131 was introduced by the House Committee on Judiciary at the request of a representative of the Council.

House Committee on Judiciary

In the House Committee hearing on February 1, 2023, a representative of the Council testified as a **proponent**, stating the bill would amend language in the first sentence of the statute to more accurately reflect the Council's current mission and purpose by replacing the duty to study the judicial branch with the overall study of the judicial process. No other testimony was provided.

Senate Committee on Judiciary

In the Senate Committee hearing on March 13, 2023, a representative of the Council testified as a **proponent**, stating that the bill would not make any changes to current Council operations and the change would more accurately reflect the current operations and mission of the Council. No other testimony was provided.

The Senate Committee amended the bill to make it effective upon publication in the *Kansas Register*. [Note: The Conference Committee did not retain this amendment.]

HB 2184 (Judicial Council Funds)

HB 2184 was introduced by the House Committee on General Government Budget at the request of Representative Hoffman.

House Committee on General Government Budget

In the House Committee hearing on February 20, 2023, the Executive Director of the Judicial Council provided **proponent** testimony, generally stating current revenue sources are unreliable and that the agency would soon be unable to support the Council's operation in carrying out its statutory mission and duties. The Executive Director indicated the bill would provide the agency with a sufficient and stable funding source and allow the agency to continue its work in improving the administration of justice in Kansas. No other testimony was provided.

Senate Committee of the Whole

On March 9, 2023, the Senate Committee of the Whole adopted a technical amendment to the bill. [Note: The Conference Committee retained this amendment.]

Fiscal Information

HB 2131 (Judicial Council Mission)

According to the fiscal note prepared by the Division of the Budget on HB 2131, as introduced, the Council indicates enactment of the bill would not have a fiscal effect on agency operations.

HB 2184 (Judicial Council Funds)

According to the fiscal note prepared by the Division of the Budget on HB 2184, as introduced, the Council estimates revenues of \$723,165 would be transferred from the Judicial Council Fund and the Publications Fee Fund to the SGF for FY 2024. The agency states its requested FY 2024 budget is \$696,664, from all funding sources, and if the bill is enacted, that amount would need to be funded from an SGF appropriation.

Any fiscal effect associated with the bill is not reflected in *The FY 2024 Governor's Budget Report*.

Judicial Council; mission; administration of justice; State General Fund; docket fees; Judicial Council Fund; Publications Fee Fund

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