

February 28, 2011

The Honorable Lance Kinzer, Chairperson
House Committee on Judiciary
Statehouse, Room 165-W
Topeka, Kansas 66612

Dear Representative Kinzer:

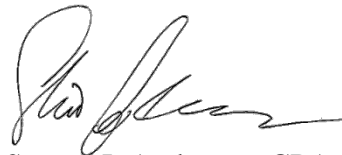
SUBJECT: Fiscal Note for HB 2253 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2253 is respectfully submitted to your committee.

HB 2253 would be known as the Transparency in Lawsuits Protection Act and would be part of the Kansas Code of Civil Procedure. The bill states that legislation enacted in this state creating a private right of action shall contain express language providing for that right. Courts would not construe to imply a private right of action in the absence of such express language.

Because HB 2253 would clarify when a statute or other legislative act creates a private right of action, it is expected that litigation would decrease. The issue of whether a statute creates a private right of action is normally raised as an additional issue with existing cases. As a result, if HB 2253 were passed, the Judiciary estimates that it would have no fiscal effect.

Sincerely,



Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Mary Rinehart, Judiciary