

March 28, 2011

The Honorable Marc Rhoades, Chairperson  
House Committee on Appropriations  
Statehouse, Room 351-S  
Topeka, Kansas 66612

Dear Representative Rhoades:

SUBJECT: Fiscal Note for HB 2396 by House Committee on Appropriations

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2396 is respectfully submitted to your committee.

HB 2396 would abolish the Judicial Performance Commission in the Judicial Council and the Judicial Performance Fund.

Estimated State Fiscal Effect				
	FY 2011 SGF	FY 2011 All Funds	FY 2012 SGF	FY 2012 All Funds
Revenue	--	--	\$785,550	--
Expenditure	--	--	--	(\$778,518)
FTE Pos.	--	--	--	(3.00)

The revenue source for the Judicial Performance Fund and several other funds is the Judiciary's docket fees. The fees are distributed by the State Treasurer on a percentage basis, which is defined in statute, with the balance going to the State General Fund. Current law provides the Judicial Performance Fund with 3.05 percent of the revenue, or approximately \$720,000 per year, to finance the activities of the Judicial Performance Commission. The enactment of HB 2396 would eliminate the Judicial Performance Commission and the portion of docket fees going to the Judicial Performance Fund would instead go to the State General Fund along with the Judicial Performance Fund's balance and liabilities. The Judicial Performance Fund is also used for \$8,500 in general operational expenditures of the Judicial Council; however, the Judicial Council notes that those expenditures could be paid out of other funds. The total reduction to the Judicial Council's budget for FY 2012 from the Judicial Performance

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Fund would be \$778,518 in expenditures and \$785,550 in revenue to the separate fund. Any fiscal effect associated with HB 2396 is not reflected in *The FY 2012 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson", with a long horizontal flourish extending to the right.

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

cc: Janelle Williams, Judicial Council