

SESSION OF 2012

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2706**

As Amended by Senate Committee on Ways  
and Means

**Brief\***

HB 2706, as amended, would revise a statute concerning the appraisal of real property prior to state purchase or disposition. The bill would require only one disinterested appraiser for real property valued at \$200,000 or less, as determined by the county assessment value of such property. The Judicial Administrator would be allowed to appoint three disinterested appraisers to determine the market-value appraisal for real property valued over \$200,000, as determined by the county assessment value of such property. (Prior to the purchase or disposition of any real property by the state or a state agency, under current law, there must be three appraisals by different appraisers.)

The bill, further, would amend KSA 2011 Supp. 45-221 to exempt the appraisals from mandatory disclosure in a Kansas Open Records request. (The current Open Records law exempts appraisals requested only during the acquisition of property.)

**Background**

The bill was introduced at the request of the Governor's Office of the Repealer. The Secretary of Administration testified in favor of the bill before the House Committee on Government Efficiency, indicating the statute is unreasonable and unduly burdensome. The Secretary stated the amendment would streamline the process by minimizing the

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

cost and time involved in obtaining one appraisal, rather than being required to have three appraisals for each piece of property to be sold or purchased by the state or state agency. No opposing or neutral testimony was presented to the House Committee.

The House Committee of the Whole amended the bill to allow for the appointment of three disinterested appraisers to determine market value if the value of the real property is over \$200,000, as determined by the county assessment value of such property. The amendment is permissive and the word "may" is used rather than "shall" in regard to the appointment of three appraisers by the Judicial Administrator.

The Senate Ways and Means Committee further amended the bill to include appraisals acquired in preparation for the sale of property by the state in the exemptions from disclosure contained within KSA 2011 Supp. 45-221.

The fiscal note prepared on the original bill by the Division of the Budget states the Department of Administration indicated passage of the bill would reduce costs to sell or purchase real property, since the number of appraisals would be reduced; however, the agency could not provide a precise cost savings.