

March 4, 2015

The Honorable John Barker, Chairperson
House Committee on Judiciary
Statehouse, Room 149-S
Topeka, Kansas 66612

Dear Representative Barker:

SUBJECT: Fiscal Note for HB 2333 by House Committee on Federal and State
Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2333 is respectfully submitted to your committee.

HB 2333 would allow a civil cause of action against any person who has attained 18 years of age, or is an emancipated minor, who enters premises licensed under the Kansas Liquor Control Act or the Club and Drinking Establishment Act and presents fraudulent written evidence of the person's age, or who otherwise misrepresents the person's age, in order to induce the licensee to sell, give, serve or furnish alcoholic beverages contrary to applicable law. The person would be liable to the licensee for damages of \$1,000 plus costs and reasonable attorney fees.

A licensee may also bring a civil cause of action against a person of legal age for the consumption of alcoholic beverages who solicits another person, or who purchases or receives alcoholic beverages from a licensee for the purpose of selling, giving or serving it to a person under the age of 21. The person would be liable for damages of \$1,000 plus costs and reasonable attorney fees.

The Office of Judicial Administration indicates that HB 2333 would increase the number of cases filed in district and appellate courts, which would increase the time spent by judges and staff to process, research and hear cases. The additional cases would also increase the amount of revenue from docket fees. However, it is not possible to predict the number of additional court cases that would arise or how complex and time-consuming they would be. Therefore, a precise fiscal effect cannot be determined.

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The Department of Revenue states that passage of the bill would have no fiscal effect on agency operations. Any fiscal effect associated with HB 2333 is not reflected in *The FY 2016 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a horizontal line extending to the right.

Shawn Sullivan,
Director of the Budget

cc: Jack Smith, KDOR
Larry Baer, LKM
Mary Rinehart, Judiciary
Melissa Wangemann, KAC