

SESSION OF 2015

SUPPLEMENTAL NOTE ON SENATE BILL NO. 184

As Recommended by Senate Committee on
Judiciary

Brief*

SB 184 would amend law relating to dormant judgments to specify any judgment for court costs, fees, fines, or restitution not void as of July 1, 2015, would not be or become dormant for any purpose. If the judgment would have become dormant under certain conditions, then it would cease to operate as a lien on the real estate of the judgment debtor as of the date the judgment would have become dormant, but it would not be released.

Background

Under current law, any judgment for court costs, fees, fines, or restitution becomes dormant when a renewal affidavit is not filed or the judgment is not executed within ten years of the date of entry of such judgment.

The bill was introduced in the Senate Committee on Judiciary at the request of the Kansas Supreme Court. In the Senate Committee, a representative of the Kansas Association of District Court Clerks and Administrators testified in support of the bill stating passage of the bill would simplify the debt collection process and increase the likelihood of collecting on court costs and restitution. No neutral or opponent testimony was submitted.

According to the fiscal note prepared by the Division of the Budget, the Office of Judicial Administration indicates the

*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>

bill could have a fiscal impact because it would allow some judgments that would have otherwise gone dormant to remain alive and for current and future judgments to be collected. However, the specific fiscal effect is impossible to determine until the Judicial Branch has had an opportunity to operate under the provisions of the bill. Any fiscal effect associated with the bill is not reflected in *The FY 2016 Governor's Budget Report*.