

March 2, 2017

The Honorable Blaine Finch, Chairperson
House Committee on Judiciary
Statehouse, Room 519-N
Topeka, Kansas 66612

Dear Representative Finch:

SUBJECT: Fiscal Note for HB 2350 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2350 is respectfully submitted to your committee.

HB 2350 would amend the Kansas Probate Code to add citations for provisions that govern what property is included in a decedent's augmented estate and provides that the value of the augmented estate must be used to calculate a spouse's elective share under KSA 59-6a202. The bill would prohibit the use of a statutory homestead or any allowance to a spouse and minor children to satisfy the spouse's elective share. Those amounts would be subtracted from the augmented estate before the elective share is calculated. The elective share could be calculated without filing a petition for allowance or homestead under existing statutes.

The Office of Judicial Administration indicates any fiscal effect associated from the enactment of HB 2350 would be negligible.

Sincerely,



Shawn Sullivan,
Director of the Budget

cc: Ashley Michaelis, Judiciary