

January 23, 2019

The Honorable John Barker, Chairperson  
House Committee on Federal and State Affairs  
Statehouse, Room 285-N  
Topeka, Kansas 66612

Dear Representative Barker:

**SUBJECT:** Fiscal Note for HB 2034 by House Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2034 is respectfully submitted to your committee.

HB 2034 would establish the Supported Decision-Making Agreements Act. The bill would allow an adult to enter into a supported decision-making agreement, which provides for a process by which an adult, referred to in the bill as a principal, may receive decision-making assistance with the adult's affairs from one or more designated adults. The adult wanting to receive decision-making assistance would not enter into a supported decision-making agreement unless the adult enters into the agreement voluntarily and without coercion and understands the nature and effect of the agreement.

The affairs that could be managed through the agreement are monitoring health, managing income and assets, handling personal health care and financial matters; and monitoring support services, living arrangements, and work arrangements. A supported decision-making agreement would name one or more adults to provide a principal with decision-making assistance; describe the decision-making assistance that each supporter may provide the principal; and contain a notice to third parties that summarizes the rights and obligations of the supporter under the agreement.

The bill specifies the requirements for making a supported decision-making agreement valid; defines the effective date and termination process for the agreement; outlines the roles and responsibilities of the supporter operating under a decision-making agreement; and provides for the protection of those acting in reliance on a support decision-making agreement. HB 2034 would specify that an adult who enters into a support decision-making agreement may act alone or with those identified as supporters in the agreement.

According to the Office of Judicial Administration, enactment of HB 2034 would have a negligible fiscal effect on the Judicial Branch. Any fiscal effect associated with HB 2034 is not reflected in *The FY 2020 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "L. L. Campbell". The signature is fluid and cursive, with a large initial "L" and a smaller "L." followed by "Campbell".

Larry L. Campbell  
Division of the Budget

cc: Cody Gwaltney, Aging & Disability Services  
Willie Prescott, Office of the Attorney General  
Janie Harris, Judiciary  
Dan Thimmesch, Health & Environment