

February 1, 2022

The Honorable Mike Thompson, Chairperson
Senate Committee on Utilities
Statehouse, Room 548-S
Topeka, Kansas 66612

Dear Senator Thompson:

SUBJECT: Fiscal Note for SB 383 by Senate Committee on Utilities

In accordance with KSA 75-3715a, the following fiscal note concerning SB 383 is respectfully submitted to your committee.

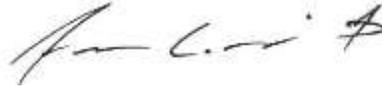
SB 383 would create the Kansas Property Value Protection Act. The bill would protect nonparticipating landowners for diminution of value of their real property because of nearby development and operation of wind and solar farms. The bill would establish how nonparticipating landowners would be compensated for loss of value of their property if they were to sell their qualifying property. A developer would have no obligations of reimbursement if all wind turbines or solar energy devices or panels are removed, the land restored, and operations at the facility have permanently ceased. The bill would authorize any party to bring an action to the district court of any county where the qualifying property or facility is located. The bill would allow for the landowner to be reimbursed attorney fees and costs for qualifying claims.

The Kansas Association of Counties indicates that SB 383 could reduce county revenues because of the effect it could have on solar and wind farm development, but the Association is unable to determine the fiscal effect.

The Office of Judicial Administration indicates that SB 383 could increase the number of cases filed in district courts because it allows for a civil suit to be filed. This would increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. The bill could also result in the collection of additional docket fees. Nevertheless, until the courts have had an opportunity to operate under the provisions of the bill, an accurate

estimate of the fiscal effect on expenditures and revenue for the Judicial Branch cannot be given. Any fiscal effect associated with SB 383 is not reflected in *The FY 2023 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt
Director of the Budget

cc: Vicki Jacobsen, Judiciary
Jay Hall, Association of Counties