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TO: Senate Committee on Ways and Means

FROM: Nancy Strouse, Executive Director

DATE: March 6, 2023

SUBJECT: HB 2184 – Concerning Transfer of Judicial Council Fee Funds

In its budget submission for fiscal year 2024, the Judicial Council proposed moving away from fee funding and returning to funding from the state general fund. House Bill 2184 would implement that proposal by eliminating the transferral of docket fees to the Judicial Council and redirecting the Judicial Council's publications revenue to the state general fund. The Judicial Council's operations would be funded by state general funds in future years.

For the first sixty-five years of its existence, the Judicial Council was funded exclusively by state general funds. With the creation of the publications fee fund in fiscal year 1993 and the allocation to the Judicial Council of docket fees in fiscal year 2004, the Judicial Council's funding source shifted from 100% state general fund to 100% fee funding. The Judicial Council is completely dependent on two increasingly unreliable revenue sources – publication sales and docket fees. These revenue sources will soon be insufficient to support the Judicial Council's operations in carrying out its statutory mission and duties, and the Judicial Council is requesting that the Legislature fully fund the Judicial Council's budget from the state general fund, beginning with FY 2024.

To offset the general fund expenditure, HB 2184 would amend K.S.A. 20-362(e) to delete the allocation of docket fees to the Judicial Council fee fund. That fee fund would be abolished after transferring all remaining docket fees in the fund to the state general fund. The Judicial Council will

continue to deposit revenue from publication sales into its publications fee fund. The bill provides for the transfer of the remaining balance in the publications fee fund to the state general fund at the end of each fiscal year. For FY 2024, the funding shift will result in a net gain to the state general fund of approximately \$26,500 due to the transfer of the remaining carryover balances from both of the Judicial Council's fee funds. In future years, the amount of state general funds allocated to the Judicial Council's budget will not be totally offset. However, this funding shift will provide the Judicial Council with a sufficient and stable funding source and allow the Council to continue its work in improving the administration of justice in Kansas.