

March 14, 2013

The Honorable Marc Rhoades, Chairperson
House Committee on Appropriations
Statehouse, Room 111-N
Topeka, Kansas 66612

Dear Representative Rhoades:

SUBJECT: Fiscal Note for HB 2330 by Representative Jones, et al.

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2330 is respectfully submitted to your committee.

HB 2330 would amend existing law regarding the amount collected for marriage license fees to reduce the fee from the current \$59 to \$23.50 if the person requesting the license has completed a premarital counseling program authorized by the Secretary of the Kansas Department of Children and Families. The bill would require a certificate to be issued to a person who has completed a minimum of eight hours in such a program. An electronic list of authorized premarital counseling programs would be provided to each judicial district and maintained on the official website of the Kansas Department of Children and Families.

According to the Office of Judicial Administration, the number of marriage licenses sold in FY 2012 was 18,812 and the revenue from license fees was \$1,109,908. Based on participation rates in ten states that have passed legislation similar to HB 2330, the Kansas Department of Children and Families estimates that 50.0 percent of marriage license applicants would participate in the program. Using that participation rate and the FY 2012 number of licenses sold, the annual revenue from marriage licenses with the fee reduction in place upon passage of HB 2330 would be \$775,995 (9,406 licenses X \$59 full price license + 9,406 X \$23.50 reduced price license) resulting in a reduction to state revenue of \$333,913. The Office of the Attorney General would experience a reduction of \$130,159 from the Protection from Abuse Fund and \$56,598 from the Crime Victims Assistance Fund, for a total reduction of \$186,757. The Judicial Branch would experience a reduction of \$50,922 from the Judicial Branch Nonjudicial Salary Adjustment Fund, and the Department for Children and Families would see a reduction of \$50,722 from the Protection from Abuse Fund, the Family and Children Investment Fund—Family and Children Trust account. The State General Fund reduction would be \$45,512. These would be annual, ongoing reductions to agency and state revenues.

The Office of Judicial Administration indicates that additional steps would need to be completed by the clerks of the district courts in order to verify completion of authorized

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premarital counseling programs and additional time would be needed to answer questions about the process. It is also anticipated that some persons applying for a marriage license might not bring their certificates with them, necessitating a second visit to the clerk's office and that a number of applicants who did not participate in the program would have questions about it. Based on the number of marriage licenses sold in FY 2012 and an additional five minutes of clerk time per case, 1,568 hours of clerk time would be needed statewide to address the requirements of HB 2330 (18,812 licenses X 5 minutes/60 minutes = 1,568 hours). The Judicial Branch uses temporary hours to employ persons in clerk of the district court offices in some judicial districts in which staffing needs cannot be met by permanent employees. This is an economical method of addressing situations in which office staffing patterns are very low, FTE employees are ill or have terminated employment, or when current staffing cannot meet surges in caseload or case activity, such as when juries are summoned in smaller counties. At an hourly rate of \$11.29 per hour, including fringe benefits, this equates to an annual cost of \$17,703. According to the agency, until the courts have had an opportunity to operate under the provisions of the bill, however, an accurate estimate of the fiscal effect on expenditures by the Judicial Branch cannot be provided.

According to the Office of the Attorney General, passage of HB 2330 would reduce the agency's grants to victim support organizations with the lower fee income. The Kansas Department of Children and Families indicates that a reduction to the Family and Children Investment fund—Family and Children Trust Account revenue would result in a reduction to its ability to provide services. The agency indicates that the electronic list of authorized premarital counseling programs could be provided with existing resources. Any fiscal effect associated with HB 2330 is not reflected in *The FY 2014 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson", written in a cursive style.

Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Jackie Aubert, Children & Family Services
Melissa Wangemann, Kansas Association of Counties
Mary Rinehart, Judiciary