

SESSION OF 2013

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2015

As Recommended by House Committee on
Judiciary

Brief*

HB 2015 would amend the list of property that remains the sole and separate property of a married person, notwithstanding the marriage, to eliminate an exception for gifts received from the person's spouse. Spousal gifts thus would be included in the list of sole and separate property. Exceptions would be added, however, for transfers that violate the Statute of Frauds and Uniform Fraudulent Transfer Act.

Background

The bill was introduced by the House Judiciary Committee at the request of the Kansas Judicial Council. The bill is identical to 2011 SB 44, which was requested by the Kansas Bar Association, considered by the Senate Judiciary Committee, and referred to the Judicial Council for study, and to 2012 SB 297, which was introduced by the Senate Judiciary Committee at the request of the Judicial Council and passed by the Senate.

In the House Judiciary Committee, a representative of the Judicial Council appeared as a proponent, and the Kansas Bar Association offered written testimony in support of the bill. No others offered testimony.

The fiscal note provided by the Division of the Budget indicates passage of the bill would have no impact on the Judicial Branch.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>