

SESSION OF 2018

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2582**

As Amended by House Committee on  
Appropriations

**Brief\***

HB 2582, as amended, would authorize expenditures of \$115,454, including \$11,604 from the State General Fund (SGF), for FY 2018 to pay various claims against the State.

For FY 2018, the bill would authorize the following payments:

- \$10,237, from the Department of Corrections or correctional facilities;
- \$11,604, all from SGF, to reimburse Ellis and Johnson counties for legal expenses incurred relating to sexually violent predator proceedings pursuant to KSA 59-29a04;
- \$51,862 in motor fuel tax refund claims. Refunds are allowed for taxes paid on fuel used for school buses and off-highway uses including farming, but go through the claims process if not filed in a timely manner;
- \$8,780, from Fort Hays State University, to reimburse Kristi Cash for personal injuries and a semester's worth of tuition due to injuries sustained in a fall;

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\*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>

- \$18,107 from Kansas Department of Health and Environment, to reimburse Elwood Shoemaker for costs incurred in compliance with a regulation, which was later suspended by the agency;
- \$1,962 from the Kansas Adjutant General's Department, to Alan Weis Contracting for damages sustained to the claimant's auger when run over by a bulldozer operated by the Adjutant General's Department;
- \$8,605 from the Kansas Adjutant General, to Snodgrass and Sons Construction Company for damages sustained to the claimant's truck;
- \$1,257 from Emporia State University, to Martin Griffey for damages sustained to the claimant's vehicle when struck by unsecured bleachers; and
- \$3,040 from the Kansas Highway Patrol, to Barbara Reese for property seized during a traffic stop in August 1995.

The bill would be in effect upon publication in the *Kansas Register*.

### **Background**

During the 2017 Interim, the Joint Committee on Claims Against the State met two times and, excluding motor vehicle fuel tax refunds, heard 81 claims, of which 70 claims, or 86.4 percent, were filed against the Department of Corrections or the correctional facilities. The Committee recommended the payment of eleven claims excluding Motor Fuel refunds.

The House Committee on Appropriations amended the bill to make technical corrections, add a claim recommended to be paid by Emporia State University but received after the

claims filing deadline, and add \$3,040 for Barbara Reese from the seizure of property in 1995.

The House Committee reached the amount of \$3,040 for Ms. Reese as 20.0 percent of the amount originally recommended to be paid by Wyandotte County District Court (a recommendation later rescinded). The House Committee recommended this as the Kansas Highway Patrol typically receives 20.0 percent of the proceeds of funds seized prior to the federal government assuming jurisdiction in an investigation.

No opponent or neutral testimony was provided.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, enactment of the bill would authorize expenditures totaling \$111,078.19, including \$11,761.19 from the SGF, for FY 2019. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2019 Governor's Budget Report*.