

January 22, 2013

The Honorable Lance Kinzer, Chairperson
House Committee on Judiciary
Statehouse, Room 165-W
Topeka, Kansas 66612

Dear Representative Kinzer:

SUBJECT: Fiscal Note for HB 2019 by House Committee on Judiciary

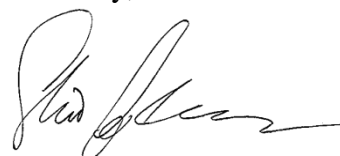
In accordance with KSA 75-3715a, the following fiscal note concerning HB 2019 is respectfully submitted to your committee.

Under existing law, vacancies in the Court of Appeals are filled by appointment of the Governor from a panel of three nominees who have been determined to be qualified to serve as judges of the Court of Appeals by the Supreme Court Nominating Commission. HB 2019 would remove the Supreme Court Nominating Commission from the selection process and have the Governor directly appoint judges to the Court of Appeals. Those judges would then serve with the consent of a majority vote of the Senate. The bill would establish time limitations and alternative selection processes with regard to the Governor making an appointment and the Senate voting to consent to the appointment.

Under current law, judges of the Court of Appeals may file a declaration of candidacy for retention in office for the next general election preceding the expiration of the term. For the judge to remain in office, a majority of the votes cast and counted in the election must be in favor of retaining the judge in office. HB 2019 would repeal the statutes governing this process. The bill would also remove language in current law that makes appointment of the 14th judge of the Court of Appeals on or after January 1, 2013, subject to appropriation.

According to the Judicial Branch, passage of HB 2019 would have no fiscal effect on its budget.

Sincerely,



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

cc: Mary Rinehart, Judiciary