

January 17, 2023

The Honorable Fred Patton, Chairperson  
House Committee on Judiciary  
300 SW 10th Avenue, Room 582-N  
Topeka, Kansas 66612

Dear Representative Patton:

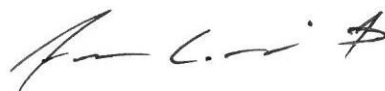
**SUBJECT:** Fiscal Note for HB 2016 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2016 is respectfully submitted to your committee.

HB 2016 would amend current law to clarify ownership of property when a beneficiary under a transfer-on-death deed predeceases the record owner. The bill would clarify that, in certain situations, a predeceased beneficiary's living issue at the time of the death of the record owner would vest the beneficiary's interest on a per stirpes basis as successor grantee or grantees. If a judicial action is initiated to clarify title, the action would be subject to the probate code. The provisions of the bill would apply to deeds filed on or after July 1, 2023.

The Office of Judicial Administration indicates enactment of HB 2016 could have a fiscal effect on the Judicial Branch because the bill would make property not subject to probate and would allow property to be transferred without needing a court case (unless someone contests ownership), which could result in a decrease in the number of cases filed. The Office estimates enactment of the bill could result in a decrease in docket fee revenue if fewer cases are filed. However, a precise fiscal effect cannot be determined because the number of fewer cases cannot be estimated. Any fiscal effect associated with HB 2016 is not reflected in *The FY 2024 Governor's Budget Report*.

Sincerely,



Adam Proffitt  
Director of the Budget

cc: Vicki Jacobsen, Judiciary