

STATE OF KANSAS

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GOVERNOR JEFF COLYER, M.D.
LARRY L. CAMPBELL, CHIEF BUDGET OFFICER

February 14, 2018

The Honorable Blaine Finch, Chairperson
House Committee on Judiciary
Statehouse, Room 519-N
Topeka, Kansas 66612

Dear Representative Finch:

SUBJECT: Fiscal Note for HB 2610 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2610 is respectfully submitted to your committee.

HB 2610 would amend the Residential Landlord and Tenant Act by allowing landlords to terminate rental agreements when a tenant, or a guest of a tenant, causes a clear and present danger to the health or safety of other tenants, the landlord, or the landlord's employees. The bill would define clear and present danger as assault, threat of assault, unlawful use of a firearm or weapon, or possession of a controlled substance. With HB 2610, landlords would be required to provide a written three-day notice specifying the acts which cause the clear and present danger. The tenants would be allowed to remedy the termination through one of the following exemptions:

1. Seeking a protection from abuse or similar order;
2. Reporting the activity to law enforcement; or
3. Sending a letter to the person that presents a danger that they may not return to the property and that a return to the premises may result in trespass or other legal action.

A tenant would be required to provide written notice of their action to the landlord prior to the filing of an action to terminate the rental agreement in order for an exemption to apply.

HB 2610 has the potential for increasing litigation in the courts; as a result, the Office of Judicial Administration indicates that there would be a fiscal effect on the operations of the court system. However, it is not possible to estimate the number of additional court cases that would

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arise or how complex and time-consuming the cases would be. The fiscal effect would most likely be negligible and could be accommodated within the existing budget resources. Any fiscal effect associated with HB 2610 is not reflected in *The FY 2019 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Campbell". The signature is fluid and cursive, with a large initial "L" and a long, sweeping underline.

Larry L. Campbell
Chief Budget Officer

cc: Ashley Michaelis, Judiciary