

SESSION OF 2004

**SUPPLEMENTAL NOTE ON HOUSE
SUBSTITUTE FOR SENATE BILL NO. 315**

As Recommended by House Committee on
Judiciary

Brief*

The House Committee Sub. for SB 315 deals with home inspections which is defined to mean a noninvasive examination of mechanical, structural, electrical, or plumbing systems in a residential dwelling designed to identify material defects in those systems. The inspection would be performed for a fee in connection with or in preparation for a real estate transfer. The bill would exclude examinations of a single system or component of a home from the definition of home inspection, such as inspections for wood destroying insects, underground tanks, septic systems, or environmental contaminants.

Any provision of an agreement or contract which would limit or disclaim a home inspector's liability regarding a home inspection report is against public policy and void.

These provisions are from 2003 HB 2100.

Background

The original bill was supported by a representative of the Kansas Association of District Court Clerks and Administrators. The proponent said persons filing motions come up with creative titles which requires the clerk to read the motion to determine whether the docket fee should be imposed. It was pointed out in committee discussions that the bill expands the docket fee imposition to motions that simply call for the enforcement of an existing order.

*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>

The fiscal note on the original bill states that it is unknown how much more money from docket fees will be generated.