

SESSION OF 2004

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2655

As Amended by House Committee on
Judiciary

Brief*

HB 2655 changes the procedure in Chapter 61 limited actions admissions of fact to provide the trial court judge with the authority to allow a party to withdraw or amend admissions when the admission was made by a non-response. The party to whom the admissions were sent must show good cause for failure to respond and show evidence that the admission is not true and the other party fails to show that withdrawal or amendment will be prejudicial in maintaining the action. A continuance of the matter will be allowed when the withdrawal or amendment is allowed.

Background

Representative Jack appeared in support of the bill.

Opposition was voiced on behalf of the Kansas Credit Attorneys Association and Kansas Collectors Association, Inc.

The fiscal note states that, although the bill would create more work for the court, the fiscal effect cannot be determined.

*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>