

SESSION OF 2007

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 165**

As Recommended by Senate Committee on  
Ways and Means

**Brief\***

SB 165 would amend existing law relating to the \$500 limitation on claims to be paid by the Secretary of Corrections. The bill would increase the claim settlement authority of the Secretary of Corrections to \$2,500 for personal injury or personal property damage resulting from the negligence on the part of the state or any agency, officer, or employee thereof.

**Background**

The bill was requested by the Department of Corrections whose representative indicated that the bill would save the cost of litigation expenses, negate the potential of a higher damage award through an adverse verdict if accepted, and prevent the award of attorney's fees in situations where a firm settlement offer is tendered but rejected and the verdict is for a lesser amount than offered.

The fiscal note prepared by the Division of the Budget indicates that passage of the bill would have little or no fiscal effect on the Department of Corrections. There is a possibility of administrative savings for the courts and the Joint Committee on Special Claims Against the State. However, the costs savings would be negligible.

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\*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>