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MEMORANDUM

To: Senate Committee on Judiciary

From: Office of Revisor of Statutes

Date: March 13, 2023

Subject: Bill Brief on HB 2127

House Bill 2127 adjusts time requirements linked to notice by publication and mailing in the Kansas probate code.

Section 1 amends K.S.A. 59-2209, the notice statute in the probate code. Current law in this section requires notice to be published once per week for three consecutive weeks in a newspaper. The first publication is required to be made within 10 days after the order fixing the time and place of the hearing, and this bill strikes that requirement. Current law also requires the hearing to be scheduled between seven and 14 days after the date of the last publication of notice. This bill would change that to require the hearing to be set not earlier than 10 days after the last publication of notice.

Section 2 amends K.S.A. 59-2308, the statute related to sale of real estate at auction in the probate code. Current law in this section requires publication of notice of real estate to be sold at auction in a newspaper once per week for three consecutive weeks. The date for the sale shall be between seven and 14 days after the date of the last publication of notice. This bill would change that to require the sale to be set not earlier than 10 days after the last publication of notice.