

February 24, 2025

The Honorable Susan Humphries, Chairperson
House Committee on Judiciary
300 SW 10th Avenue, Room 582-N
Topeka, Kansas 66612

Dear Representative Humphries:

SUBJECT: Fiscal Note for HB 2357 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2357 is respectfully submitted to your committee.

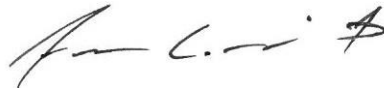
HB 2537 would require the court to seal certain files relating to eviction proceedings and would only allow certain parties to access information. The bill would specify when cases could be sealed and unsealed and when underlying judgments in an eviction action would be expunged. The bill would allow the court to permit a defendant to appear by a two-way electronic audio-video communication at an eviction proceeding. The bill would also require the court to order a continuance in eviction proceedings if participating in mediation.

The Office of the Attorney General indicates enactment of the bill would increase the number of complaints it currently processes regarding eviction actions which would require the Office to hire 2.00 FTE positions. The Office also states the bill could result in litigation which would require it to defend the bill. The Office states the bill would increase expenditures by \$740,065 in FY 2026 and \$752,069 in FY 2027 from the State General Fund. Of the FY 2026 amount, \$133,904 is for 1.00 Assistant Attorney General position; \$60,839 is for 1.00 Investigator position; \$45,322 is for office space, training, technology, and other expenditures; and \$500,000 is for potential litigation costs for the Office to defend the bill, if enacted. The FY 2027 amount assumes a 5.0 percent increase of expenditures associated with the 2.00 positions over the FY 2026 amount along with an additional \$500,000 in litigation costs.

The Office of Judicial Administration indicates enactment of the bill would have a significant fiscal effect on expenditures of the Judicial Branch. The Office states that the bill would require district court clerks to manually seal court files, make certain files available to

certain parties, manually determine and unseal such files, and manually track and process expungements after two years. The Office also indicates judges and district court clerks would be required to schedule additional hearings, file motions, and send notices. The Office states that enactment of the bill would significantly increase the workload of district court clerks. In 2023 and 2024 combined, the Office notes that there were approximately 32,400 eviction cases filed in Kansas. The Office indicates it may be possible to reprogram the centralized case management system to automatically perform some of the requirements of the bill at an additional cost to the Judicial Branch. However, a fiscal effect cannot be estimated. Any fiscal effect associated with HB 2357 is not reflected in *The FY 2026 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt", followed by a stylized flourish or symbol.

Adam C. Proffitt
Director of the Budget

cc: Trisha Morrow, Judiciary
Matt Bingesser, Office of the Attorney General