

February 17, 2011

The Honorable Lance Kinzer, Chairperson
House Committee on Judiciary
Statehouse, Room 165-W
Topeka, Kansas 66612

Dear Representative Kinzer:

SUBJECT: Fiscal Note for HB 2219 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2219 is respectfully submitted to your committee.

HB 2219 would allow the court, upon motion, to order child support for an exceptional child to continue through the school year during which the exceptional child becomes 23 years of age, as long as the child is a bona fide high school student. The bill defines an "exceptional child" as a child with disabilities and is school age, which would be determined by the rules and regulations adopted by the State Board of Education. However, under current regulations, a child with disabilities meets the definition of "school age" when the child turns three years of age through the school year in which the child graduates with a regular high school diploma or reaches age 21, whichever occurs first. Therefore, under current regulation, a child with disabilities would not be in public school past age 21.

Passage of HB 2219 could result in increased motions and additional enforcement actions for child support. Because current data suggest that the number of special education students attending high school past the age of 19 is negligible, the bill is expected to have no fiscal effect. However, until the courts have had an opportunity to operate under the provisions of HB 2219, a precise statement of fiscal effect cannot be determined.

Sincerely,



Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Mary Rinehart, Judiciary