

January 30, 2017

The Honorable Blaine Finch, Chairperson
House Committee on Judiciary
Statehouse, Room 519-N
Topeka, Kansas 66612

Dear Representative Finch:

SUBJECT: Fiscal Note for HB 2127 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2127 is respectfully submitted to your committee.

HB 2127 would amend the Kansas Probate Code to permit a real estate transfer to a qualified offspring, progeny, or lineal descendant of a deceased beneficiary when no alternative beneficiary has been named on the deed and the beneficiary dies prior to the owner. This provision would apply under the following circumstances:

1. The deceased beneficiary is a spouse, lineal descendant or other relative of the owner by blood or adoption;
2. The deceased beneficiary leaves issue surviving the record owner; and
3. The transfer of real estate would have vested in the beneficiary, if the beneficiary had survived the owner.

If the following circumstances could not be identified, a transfer would lapse when the beneficiary dies prior to the owner; the beneficiary's interest in the real estate was not specifically made contingent on the beneficiary surviving the owner; and there is no eligible alternative beneficiary designated on the deed. The provisions of HB 2127 would apply only to owners who die on or after July 1, 2017.

The Office of Judicial Administration indicates the provisions of HB 2127 are clarifying in nature and would have no fiscal effect on the Judicial Branch.

Sincerely,



Shawn Sullivan,
Director of the Budget

cc: Ashley Michaelis, Judiciary