

SESSION OF 2024

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2551

As Amended by Senate Committee on Ways
and Means

Brief*

HB 2551, as amended, would authorize expenditures totaling \$49,343 from existing resources in FY 2024 to pay the following claims against the State:

- \$16 from the El Dorado Correctional Facility for an inmate's clothing that went missing from laundry services;
- \$43 from the Hutchinson Correctional Facility for food items stolen when an inmate's cell was left unsecured;
- \$118 from the Hutchinson Correctional Facility for an inmate's stolen electronic devices;
- \$23 from the Hutchinson Correctional Facility for an inmate's stolen shoes and a watch;
- \$25 from the Lansing Correctional Facility for an inmate's clothing lost during transfer to another correctional facility;
- \$20 from the Larned State Correctional Facility for an inmate's clothing that went missing from laundry services;

*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>

- \$1,509 from the Larned State Hospital for damages to the claimant's vehicle sustained from a collision with an agency forklift;
- \$5 from the Larned State Hospital for the untimely delivery of a patient's television channel guide magazine;
- \$2,000 from the Department of Wildlife and Parks for damages to the claimant's vehicles sustained from a falling tree at a Clinton State Park campsite; and
- \$45,583 in motor fuel tax refund claims. [*Note:* Refunds are allowed for taxes paid on fuel used for school buses and off-highway purposes such as farming (KSA 79-3453). These refunds go through the claims process if not filed with the Department of Revenue within one year of fuel purchase.]

The bill would require a claimant to sign a release attesting satisfaction of the claim prior to issuance of payment.

The bill would be in effect upon publication in the *Kansas Register*.

Background

The bill was introduced by the Joint Committee on Special Claims Against the State (Joint Committee).

During the 2023 Interim, the Joint Committee met three times and, excluding motor vehicle fuel tax refunds, heard 63 claims, of which 55 claims, or 87.5 percent, were filed against the Department of Corrections or specific correctional facilities. Of the 63 claims heard, the Joint Committee recommended payment for 9 claims.

House Committee on Appropriations

In the House Committee hearing on February 1, 2024, **proponent** testimony was provided by Representative Humphries, chairperson of the Joint Committee, who stated that although only certain claims are recommended for payment, all claimants are afforded the opportunity for a public hearing. The proponent clarified that a motor fuel refund is allowable for a certain percentage of fuel used as power take-off to operate auxiliary equipment on a vehicle, such as the mixing components on a cement truck.

Senate Committee on Ways and Means

In the Senate Committee hearing on March 19, 2024, no testimony was provided.

The Senate Committee amended the bill to make technical corrections concerning the names of a claimant and a fund.

Fiscal Information

According to the fiscal note prepared by the Division of Budget on the bill, enactment of the bill as introduced would authorize expenditures totaling \$49,343, including \$1,760 from the State General Fund (SGF), to pay claims against the State. Such expenditures would come from existing SGF appropriations or special revenue funds.

Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2025 Governor's Budget Report*.

Appropriations; claims; Department of Corrections; Department of Wildlife and Parks; Larned State Hospital