

February 14, 2024

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 2693 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2693 is respectfully submitted to your committee.

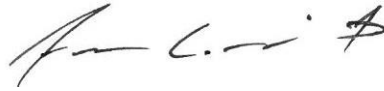
HB 2693 would create the Uniform Partition of Heirs Property Act. The bill would specify that in an action to partition real property, the court must determine whether the property is heirs property, and if so, the property would be required to be partitioned under the Act unless all of the co-tenants otherwise agree. The bill outlines methods that could be used to determine the value of the property and how notice of such actions or valuations would be given to interested parties along with legal procedures the courts must follow. The bill also outlines procedures any co-tenants would be required to follow to buy all interests owned by other co-tenants that requested partition by sale. Parties would be allowed submit requests to the court to authorize the sale of property interests requested by co-tenants. The bill outlines factors the court would consider in such requests. The bill also outlines procedures the court would follow in actions regarding partition in kind. If the court orders a sale of heirs property, the bill would outline how an open-market sale would be conducted.

The Office of Judicial Administration indicates that enactment of the bill could have a fiscal effect on the Judicial Branch because it creates new requirements for the district courts regarding partition of property cases. This could increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. The bill could also increase revenues to the Judicial Branch through docket and other fees, which would be deposited into the State General Fund and other state funds. However, the Office indicates it cannot estimate a precise fiscal effect until it has had the opportunity to operate under the provisions of the bill.

The Honorable Susan Humphries, Chairperson  
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Any fiscal effect associated with HB 2693 is not reflected in *The FY 2025 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt", with a stylized flourish at the end.

Adam C. Proffitt  
Director of the Budget

cc: Trisha Morrow, Judiciary