COMMITTEE ON LEGISLATIVE RESEARCH OVERSIGHT DIVISION

FISCAL NOTE

<u>L.R. No.</u>: 0887-01 <u>Bill No.</u>: SB 165

Subject: Civil Procedure; Courts; Public Service Commission

<u>Type</u>: Original

Date: January 21, 2005

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND				
FUND AFFECTED	FY 2006	FY 2007	FY 2008	
General Revenue	(\$2,000)	(\$2,000)	(\$2,000)	
Total Estimated Net Effect on General Revenue Fund	(\$2,000)	(\$2,000)	(\$2,000)	

ESTIMATED NET EFFECT ON OTHER STATE FUNDS				
FUND AFFECTED	FY 2006	FY 2007	FY 2008	
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0	

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 4 pages.

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ESTIMATED NET EFFECT ON FEDERAL FUNDS				
FUND AFFECTED	FY 2006	FY 2007	FY 2008	
Total Estimated Net Effect on <u>All</u>				
Federal Funds	\$0	\$0	\$0	

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials with the **Department of Economic Development – Public Service Commission and the Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on their agencies.

Officials with the **Department of Economic Development – Office of Public Counsel (OPC)** assume the proposal would require their agency to initiate 8 to 10 appeals which would originate at the Court of Appeals. OPC assumes increased travel expenses related to making oral arguments in Kansas City, but also assumes that the number of pending appeals would be reduced, making any increased costs minimal.

OPC assumes that it would be required as a result of this legislation to pay a "cost bond of appeal" of \$500 for each appeal it initiates. Assuming the initiation of four appeals per year, the impact to OPC would be \$2,000 per year.

FISCAL IMPACT - State Government FY 2006 FY 2007 FY 2008 (10 Mo.)

RK:LR:OD (12/02)

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GENERAL REVENUE

Cost – DED – Office of Public Counsel Cost Bond of Appeals	(\$2,000)	(\$2,000)	(\$2,000)
NET ESTIMATED IMPACT ON GENERAL REVENUE	<u>(\$2,000)</u>	<u>(\$2,000)</u>	<u>(\$2,000)</u>
FISCAL IMPACT - Local Government	FY 2006 (10 Mo.)	FY 2007	FY 2008
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This legislation would eliminate the intermediate appeal of Public Service Commission (PSC) cases to circuit court, requiring that any appeal of PSC order go directly to the Court of Appeals.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Economic Development
Public Service Commission
Office of Public Counsel
Office of State Courts Administrator

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Mickey Wilen

Director

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