

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 89** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 11, following line 8, by inserting:

"New Sec. 4. On July 1, 2017, the director of accounts and reports shall transfer all moneys in the repossessed certificates of title fee fund to the division of vehicles operating fund. On July 1, 2017, all liabilities of the repossessed certificates of title fee fund are hereby transferred to and imposed on the division of vehicles operating fund, and the repossessed certificates of title fee fund is hereby abolished.

New Sec. 5. (a) Except as provided in subsection (c), a person whose driving privileges have been suspended pursuant to K.S.A. 8-2110(b)(1), and amendments thereto, may enter into an amnesty agreement with the county or district attorney pursuant to this section. Under the terms of the amnesty agreement, the chief judge of each judicial district may:

- (1) Recall any warrants directly related to the suspension;
- (2) waive reinstatement and collection fees directly related to the suspension; and
- (3) offer payment plans, to be administered by the county or district attorney, to persons who are unable to pay in full.

(b) Persons who are unable to pay due to hardship or lack of employment may enter into an additional agreement with the court to receive a credit against any fines imposed by performing community service or attending classes aimed at developing job skills and gaining

employment. The court shall approve any classes and community service before the person will receive any credit towards fines. Once approved, the person shall receive a credit on the fine in an amount equal to \$5 for each full hour spent by the person in community service and \$8 for each full hour spent attending classes.

(c) The provisions of this section shall not apply to:

(1) Any person whose driving privileges have been suspended by another court;

(2) non-traffic warrants; or

(3) persons whose driver's license has been suspended or revoked under the provisions of K.S.A. 8-262, 8-2,144, 8-1567, 8-1567a or 40-3104, and amendments thereto, or K.S.A. 2016 Supp. 8-1025, and amendments thereto.

New Sec. 6. There is hereby established in the state treasury the seat belt safety fund which shall be administered by the secretary of transportation. All expenditures of moneys in the seat belt safety fund shall be used for the purpose of promotion and education of occupant protection among children, including, but not limited to, programs in schools in Kansas and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of transportation or by a person or persons designated by the secretary of transportation. The secretary of transportation may accept all gifts, grants, donations and bequests to the fund. The secretary of transportation shall remit all moneys received under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the seat belt safety fund.

Sec. 7. K.S.A. 2016 Supp. 8-2504 is hereby amended to read as follows: 8-2504. (a) (1) Persons violating ~~subsection (a)(1)~~ of K.S.A. 8-2503(a)(1), and amendments thereto, shall be

~~fined \$5 and no court costs and, from and after July 1, 2011, persons violating subsection (a)(1) of K.S.A. 8-2503, and amendments thereto, shall be fined \$10~~ \$30 and no court costs; and

(2) persons violating ~~subsection (a)(2) of K.S.A. 8-2503~~ (a)(2), and amendments thereto, shall be fined \$60 and no court costs.

(b) No court shall report violation of this act to the department of revenue.

(c) Evidence of failure of any person to use a safety belt shall not be admissible in any action for the purpose of determining any aspect of comparative negligence or mitigation of damages.

(d) The provisions of this section shall be applicable and uniform throughout the state and no city, county, subdivision or local authority shall enact or enforce any law, ordinance, rule, regulation or resolution in conflict with, in addition to, or supplemental to, the provisions of this section.

Sec. 8. K.S.A. 2016 Supp. 12-4120 is hereby amended to read as follows: 12-4120. (a) On and after July 1, 2012, the amount of \$250 from each fine imposed for a violation of a city ordinance prohibiting the acts prohibited by K.S.A. 8-1567 or 8-2,144 or K.S.A. 2016 Supp. 8-1025, and amendments thereto, shall be remitted by the judge or clerk of the municipal court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall credit the entire amount to the community corrections supervision fund established by K.S.A. 2016 Supp. 75-52,113, and amendments thereto.

(b) On and after July 1, 2013, the amount of \$2,500 from each fine imposed for a violation of a city ordinance prohibiting the acts prohibited by K.S.A. 2016 Supp. 21-6421, and amendments thereto, shall be remitted by the judge or clerk of the municipal court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon

receipt of each such remittance, the state treasurer shall credit the entire amount to the human trafficking victim assistance fund established by K.S.A. 2016 Supp. 75-758, and amendments thereto.

(c) On and after July 1, 2017, the amount of \$20 from each fine imposed for a violation of a city ordinance requiring the use of safety belts for those individuals required by K.S.A. 8-2503(a)(1), and amendments thereto, shall be remitted by the judge or clerk of the municipal court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall credit the entire amount to the seat belt safety fund established by section 6, and amendments thereto.

Sec. 9. K.S.A. 2016 Supp. 74-7336 is hereby amended to read as follows: 74-7336. (a) Of the remittances of fines, penalties and forfeitures received from clerks of the district court, at least monthly, the state treasurer shall credit:

- (1) ~~10.94%~~10.7% to the crime victims compensation fund;
- (2) ~~2.24%~~2.19% to the crime victims assistance fund;
- (3) ~~2.75%~~2.69% to the community alcoholism and intoxication programs fund;
- (4) ~~7.65%~~7.48% to the department of corrections alcohol and drug abuse treatment fund;
- (5) 0.16% to the boating fee fund;
- (6) 0.11% to the children's advocacy center fund;
- (7) ~~2.28%~~2.23% to the EMS revolving fund;
- (8) ~~2.28%~~2.23% to the trauma fund;
- (9) ~~2.28%~~2.23% to the traffic records enhancement fund;
- (10) ~~4.4%~~4.31% to the criminal justice information system line fund; ~~and~~
- (11) 2.2% to the seat belt safety fund; and

(12) the remainder of the remittances to the state general fund.

(b) The county treasurer shall deposit grant moneys as provided in subsection (a), from the crime victims assistance fund, to the credit of a special fund created for use by the county or district attorney in establishing and maintaining programs to aid witnesses and victims of crime.";

Also on page 11, in line 9, by striking the second "and" and inserting a comma; in line 10, after "145d" by inserting ", 8-2504, 12-4120 and 74-7336";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "violations, safety belts, distribution of revenues, persons with suspended drivers' licenses; establishing the seat belt safety fund;"; in line 3, by striking the first "and" and inserting a comma; also in line 3, after "8-145d" by inserting ", 8-2504, 12-4120 and 74-7336";

And your committee on conference recommends the adoption of this report.

Conferees on part of House

Conferees on part of Senate