

SESSION OF 2024

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 493**

As Recommended by Senate Committee on  
Judiciary

**Brief\***

SB 493 would amend law concerning ignition interlock devices (IIDs) to require manufacturers of such devices to pay fees to the Kansas Highway Patrol (KHP) for administration, oversight, and monitoring of the IID program. The bill would also establish the IID Fee Program Fund (Fund).

**Fees**

The bill would require IID manufacturers, on and after July 1, 2024, to pay a one-time fee of \$10 for each IID installed in the state with payment remitted monthly. The bill would also require a \$5 monthly fee for each IID in use and maintained by the manufacturer, except when the IID is installed for and used by a person eligible for reduced IID program costs as determined by the Division of Vehicles (Division), Kansas Department of Revenue (KDOR).

**Fund**

The bill would establish the Fund in the State Treasury, to be administered by the Superintendent of the KHP. All fees received by the Superintendent pursuant to the provisions of the bill would be remitted to the State Treasurer and credited to the Fund. The fees deposited into this Fund could

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\*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>

be used only for the purpose of funding the administration, oversight, and monitoring of the IID program.

The bill would also make a technical amendment to remove an expired date in continuing law.

## **Background**

The bill was introduced by the Senate Committee on Judiciary at the request of a representative of the KHP.

### ***Senate Committee on Judiciary***

In the Senate Committee hearing, a representative of KHP testified as a **proponent** of the bill, stating the bill is necessary to clarify in statute that manufacturers are required to pay fees for administration of the IID program because according to an opinion of the Attorney General, the agency is unable to require such fees through administrative rule and regulation.

Written-only proponent testimony was provided by a representative of the Kansas Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs Association.

No other testimony was provided.

## **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget on the bill, KHP estimates enactment of the bill would increase agency fee revenues by \$640,950 in both FY 2025 and FY 2026. The agency indicates the bill would support the addition of 6.0 new FTE positions required to oversee the installation and usage of IIDs in Kansas. This would include 1.0 FTE supervisor position, 1.0 FTE vendor compliance position, 2.0 FTE administrator positions, and 2.0

FTE offender reviewer positions. These positions would be funded by the fees established in the bill, increasing agency expenditures by \$543,420 in both FY 2025 and FY 2026. According to the agency, there are 9,581 active IIDs in Kansas, and 6,609 were installed in calendar year 2023. KHP is required to oversee approximately 350 service centers to ensure compliance, resolve customer disputes related to IIDs, and certify approximately 500 service technicians to provide proper installation of the devices.

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

Ignition interlock devices; Kansas Highway Patrol; Ignition Interlock Program; Ignition Interlock Device Program Fee Fund