

February 16, 2015

The Honorable Jeff King, Chairperson
Senate Committee on Judiciary
Statehouse, Room 341-E
Topeka, Kansas 66612

Dear Senator King:

SUBJECT: Fiscal Note for SB 183 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 183 is respectfully submitted to your committee.

SB 183 would expand the definition of “debts owed to courts” to include court costs, fines, fees or other charges arising from failure to comply with a traffic citation within 30 days from the date of the mailing of the notice. The bill would also modify the Department of Administration’s Debtor Setoff Program as follows:

1. It would include court costs, fines, fees or other charges a district court has ordered to be paid to the district court;
2. The definition of “refund” would include any income tax refund, rather than only a State of Kansas income tax refund;
3. The definition of “state agency” would include contracting agents authorized to collect debts owed to courts;
4. The cost of collection for a contracting agent who uses the program to recover debts owed to the courts would be the amount established by contract with the Kansas Attorney General’s Office minus the Department of Administration’s collection assistance fee; and
5. The Director of Accounts and Reports would be entitled to add its collection assistance fee to any debt subject to setoff after it has been submitted to the Department of Administration.

The Department of Administration indicates SB 183 would increase fee fund expenditures by \$15,000 in FY 2015 to modify the Kansas Debt Recovery System to accommodate separate fee information and debt information related to debts submitted.

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Current law requires a judgment before any debts can be sent to collections, but no judgment can be had when persons do not appear in court for traffic citations. The Office of Judicial Administration indicates that authorization to send these unpaid traffic tickets to debt collection services, and adding court costs, fines, fees or other charges a district court has ordered to the Debtor Setoff Program would increase Judicial Branch revenues. However, a precise estimate of the fiscal effect on revenues to the Judicial Branch cannot be made until the courts have had an opportunity to operate with the provisions of SB 183 in place. Any fiscal effect associated with SB 183 is not reflected in *The FY 2016 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a horizontal line extending to the right.

Shawn Sullivan,
Director of the Budget

cc: Mary Rinehart, Judiciary
Pat Scalia, Indigents Defense Services
Willie Prescott, Attorney General's Office
Pam Fink, Department of Administration