

February 2, 2015

The Honorable Mike Petersen, Chairperson
Senate Committee on Transportation
Statehouse, Room 345-S
Topeka, Kansas 66612

Dear Senator Petersen:

SUBJECT: Fiscal Note for SB 82 by Senate Committee on Transportation

In accordance with KSA 75-3715a, the following fiscal note concerning SB 82 is respectfully submitted to your committee.

SB 82 would establish the Seat Belt Safety Fund within the Kansas Department of Transportation. Expenditures from the fund would be used for the promotion and education of occupant protection among children, including, but not limited to, programs in schools. The Seat Belt Safety Fund would receive 5.26 percent of all fines, penalties, and forfeitures received by clerks of the district court. Under current law, the fine is \$10 when a vehicle occupant who is 18 years of age or older fails to wear a seat belt. When the occupant is 14 years old, but less than 18 years old, the fine for not wearing a seat belt is \$60. SB 82 would make the fine \$60 for all seat belt violations for persons 14 years of age or older. The bill would require that \$40 for each violation of a city ordinance requiring the use of a seat belt for individuals 18 years of age or older be submitted to the State Treasurer.

The bill would also make the following adjustments to the percentage of fines, penalties, and forfeitures directed towards the following funds:

1. 10.94 percent to 10.22 percent to the Crime Victims Compensation Fund;
2. 2.24 percent to 2.09 percent to the Crime Victims Assistance Fund;
3. 2.75 percent to 2.57 percent to the Community Alcoholism and Intoxication Programs Fund;
4. 7.65 percent to 7.15 percent to the Department of Corrections Alcohol and Drug Abuse Treatment Fund;
5. 0.16 percent to 0.15 percent to the Boating Fee Fund;

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6. 0.11 percent to 0.10 percent to the Children's Advocacy Center Fund;
7. 2.28 percent to 2.13 percent to the EMS Revolving Fund;
8. 2.28 percent to 2.13 percent to the Trauma Fund;
9. 2.28 percent to 2.13 percent to the Traffic Records Enhancement Fund;
10. 2.91 percent to 2.72 percent to the Criminal Justice Information System Line Fund; and
11. 66.40 percent to 63.35 percent to the State General Fund.

The Office of Judicial Administration estimates enactment of the bill would result in additional FY 2016 revenues of \$1,225,367, including \$244,727 to the State General Fund, from fines, penalties, and forfeitures received by clerks of the district courts. Of the additional revenue collected, \$981,149 would be credited to the Seat Belt Safety Fund. The Kansas Department of Transportation indicates that passage of SB 82 would result in additional revenues and expenditures to the agency from the creation of the Seat Belt Safety Fund. The League of Kansas Municipalities states that if SB 82 were passed, cities with municipal courts would be imposing the higher fine amount and would retain \$20 rather than the current \$10 fine; however, the League states it does not know how many seat belt violations are prosecuted in Kansas cities each year. Any fiscal effect associated with SB 82 is not reflected in *The FY 2016 Governor's Budget Report*.

Sincerely,



Shawn Sullivan,
Director of the Budget

cc: Ben Cleeves, Transportation
Larry Baer, League of Municipalities
Mary Rinehart, Judiciary