

March 9, 2017

REVISED

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

Dear Senator Petersen:

**SUBJECT:** Revised Fiscal Note for SB 181 by Senate Committee on Transportation

In accordance with KSA 75-3715a, the following revised fiscal note concerning SB 181 is respectfully submitted to your committee.

SB 181 would allow individuals whose driving privileges have been suspended to enter into amnesty agreements with district courts. Individuals may apply to the Division of Vehicles in the Department of Revenue for restricted driving privileges. Under the amnesty agreement, district courts may recall any warrants directly related to the suspension, waive reinstatement and collection fees and offer payment plans to individuals who are unable to pay in full. Individuals 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 employment or job skills classes. The individual would receive credits equal to five dollars for each hour spent in community service and eight dollars for each full hour spent attending classes.

The bill would not apply to any person whose driving privileges have been suspended by another court, non-traffic warrants, or any person whose driver's licenses has been suspended or revoked under certain statutes.

The Office of Judicial Administration (OJA) indicates the bill would require additional district court staff time to set up amnesty agreements, track compliance with the agreements, approve and track a person's community service or class attendance and related service credits, receiving multiple payments throughout the amnesty time period and recalling warrants once a person enters an amnesty agreement. The Judicial Branch's current case management system does not have the functionality to monitor payment arrangements or track reinstatement fees that have been waived. Upgrading the case management system would be costly; therefore, all tasks associated with SB 181 would have to be performed manually and would require additional State General Fund expenditures of \$144,384 in FY 2018 and \$157,020 in FY 2019 for the salaries

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and wages expenses of 4.00 Trial Clerk II FTE positions. OJA estimates the bill would have a fiscal effect on revenues from allowing courts to waive certain reinstatement fees or establishing payment plans; however, the Office is unable to determine what the effect on revenues would be. The original fiscal note did not include information from the Office of Judicial Administration. Information from the Office was not available at the time the original note was prepared.

The Department of Revenue estimates that the bill would require additional expenditures of \$5,610 in FY 2018 to modify and test programming changes to its driver's license system. Any fiscal effect associated with SB 181 is not reflected in *The FY 2018 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: Jack Smith, Department of Revenue  
Ashley Michaelis, Judiciary