

April 22, 2020

The Honorable John Barker, Chairperson
House Committee on Federal and State Affairs
Statehouse, Room 285-N
Topeka, Kansas 66612

Dear Representative Barker:

SUBJECT: Fiscal Note for HB 2737 by House Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2737 is respectfully submitted to your committee.

HB 2737 would allow any local board of education in any district to install, operate, and maintain stop signal video recording devices. The bill would also allow districts to enter into an agreement with a private vendor to manage video recording devices on behalf of the district. A board would be required to adopt resolutions associated with capturing recorded video images from the bus of motor vehicle operators in violation of improperly passing a school bus.

Images of violations would be submitted to law enforcement for legal enforcement of the violation. The bill would remove the flat fine of \$315 from the statutory uniform fine schedule with the following new fines and penalties: a first conviction—a fine of not less than \$500; a second conviction—a fine of not less than \$1,000; a third conviction—a fine of not less than \$2,500 and 48 consecutive hours to six months imprisonment; a fourth conviction—a fine of not less than \$2,500, 30 days to six months imprisonment, and suspended driving privileges for one year; a fifth or subsequent conviction—a fine of not less than \$10,000, one year imprisonment, and permanent revocation of driving privileges.

Any fines collected from improperly passing a school bus would be submitted to the State Treasurer and remitted as follows: 10.0 percent to the Bus Camera Reimbursement Fund (administered by the Department of Education) and 40.0 percent to the School Bus Zone Safety Fund (administered by the Department of Transportation). The bill does not reference to which fund the remaining 50.0 percent would be remitted. The Bus Camera Reimbursement Fund would be used by school districts for expenditure reimbursements for associated expenditures for participating in the program. The School Bus Zone Safety Fund would be used for projects in local communities to improve school zone safety and student transportation safety.

The Department of Education states that the bill would create the Bus Camera Reimbursement Fund with revenues from 10.0 percent of fines from violations. Although it cannot estimate the anticipated revenues from these fines, the Department could implement the outlined expenditures for school district cost reimbursements with its existing staff. Any costs for

administration would be negligible. Any implementation costs for installing and managing the bus cameras would be borne by local school districts that choose to install, operate, and maintain stop signal video recording devices which would then be reimbursed from the fund as revenues are received.

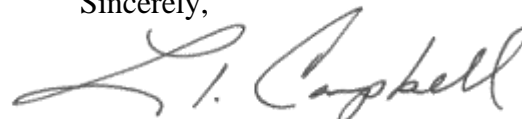
The Department of Transportation states that the bill would create the School Bus Zone Safety Fund with revenues from 40.0 percent of fines from violations. Although the agency cannot estimate the anticipated revenues from these fines, the agency could implement the authorized expenditures for projects in local communities for school zone safety improvement with its existing staff. Any costs for administration would be negligible.

The bill has the potential for increasing litigation in the courts because of the new violation created by the bill. If it does, the Office of Judicial Administration indicates that there would be a fiscal effect on the operations of the court system. However, it is not possible to estimate the number of additional court cases that would arise or how complex and time-consuming they would be. As a result, a fiscal effect cannot be estimated. In any case, the fiscal effect would most likely be accommodated within the existing schedule of court cases and would not require additional resources. The agency notes that the bill could also result in the collection of additional fees, including docket and supervision fees. However, the agency cannot estimate the additional revenues from these fees.

The Department of Revenue indicates it would require \$3,500 from the State General Fund in FY 2021 to implement the bill and to modify its information technology systems. The required programming for this bill by itself would be performed by existing staff of the Department of Revenue. In addition, if the combined effect of implementing this bill and other enacted legislation exceeds the Department's programming resources, or if the time for implementing the changes is too short, additional expenditures for outside contract programmer services beyond the Department's current budget may be required.

Although the bill does not reference which fund the remaining 50.0 percent of fines would be remitted, the Division of the Budget would assume that the remaining 50.0 percent of fines would be deposited to the State General Fund. Any fiscal effect associated with HB 2737 is not reflected in *The FY 2020 Governor's Budget Report*.

Sincerely,



Larry L. Campbell
Division of the Budget

cc: Dale Dennis, Education
Mary Rinehart, Judiciary
Ben Cleaves, Transportation
Lynn Robinson, Department of Revenue