

City Hall
8500 Santa Fe Drive
Overland Park, Kansas 66212
www.opkansas.org

Date: February 7, 2023
To: Chairman Patton & the House Committee on Judiciary
From: City of Overland Park
Re: Written Testimony in Support of HB 2216

Thank you for allowing the City of Overland Park to submit testimony in support of HB 2216.

The City supports Constitutional home rule authority of Kansas cities, which provides, in part, "...cities are hereby empowered to determine their own local affairs and government..." Consistent with this principle, HB 2216 would grant local prosecutors greater discretion regarding recommended sentences for driving while suspended and help ensure that any punishment is equitable.

Mandatory imprisonment can result in increased jail fees and potential loss of compensation and employment. Therefore, imposing this punishment for a traffic citation received while driving with a suspended license has the perverse effect of making it more difficult for a defendant to get their license reinstated and participate in the workforce. HB 2216 would grant local prosecutor's the discretion to weigh these considerations when determining the most equitable punishment for such traffic citations.

Additionally, when defendants do not pay jail fees then cities become responsible for paying those fees, resulting in the use of taxpayer dollars that could be better used elsewhere.

Thank you for allowing the City to testify on this legislation. We respectfully request that the Committee advance HB 2216 to the full House.