

**HOUSE BILL No. 2157**

By Committee on Transportation

1-28

1 AN ACT concerning motor vehicles; relating to the use of safety belts;  
2 establishing the seat belt safety fund; amending K.S.A. 2014 Supp. 8-  
3 2504, 12-4120 and 74-7336 and repealing the existing sections.

4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 New Section 1. There is hereby established in the state treasury the  
7 seat belt safety fund which shall be administered by the secretary of  
8 transportation. All expenditures of moneys in the seat belt safety fund shall  
9 be used for the purpose of promotion and education of occupant protection  
10 among children, including, but not limited to, programs in schools in  
11 Kansas and shall be made in accordance with appropriation acts upon  
12 warrants of the director of accounts and reports issued pursuant to  
13 vouchers approved by the secretary of transportation or by a person or  
14 persons designated by the secretary of transportation. The secretary of  
15 transportation may accept all gifts, grants, donations and bequests to the  
16 fund. The secretary of transportation shall remit all moneys received under  
17 this section to the state treasurer in accordance with the provisions of  
18 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such  
19 remittance, the state treasurer shall deposit the entire amount in the state  
20 treasury to the credit of the seat belt safety fund.

21 Sec. 2. K.S.A. 2014 Supp. 8-2504 is hereby amended to read as  
22 follows: 8-2504. (a) ~~(1) Persons violating subsection (a)(1) of K.S.A. 8-~~  
23 ~~2503(a), and amendments thereto, shall be fined \$5 and no court costs and,~~  
24 ~~from and after July 1, 2011, persons violating subsection (a)(1) of K.S.A.~~  
25 ~~8-2503, and amendments thereto, shall be fined \$10 and no court costs;~~  
26 ~~and~~

27 ~~(2) persons violating subsection (a)(2) of K.S.A. 8-2503, and~~  
28 ~~amendments thereto, shall be fined \$60 and no court costs.~~

29 (b) No court shall report violation of this act to the department of  
30 revenue.

31 (c) Evidence of failure of any person to use a safety belt shall not be  
32 admissible in any action for the purpose of determining any aspect of  
33 comparative negligence or mitigation of damages.

34 (d) The provisions of this section shall be applicable and uniform  
35 throughout the state and no city, county, subdivision or local authority  
36 shall enact or enforce any law, ordinance, rule, regulation or resolution in

1 conflict with, in addition to, or supplemental to, the provisions of this  
2 section.

3 Sec. 3. K.S.A. 2014 Supp. 12-4120 is hereby amended to read as  
4 follows: 12-4120. (a) On and after July 1, 2012, the amount of \$250 from  
5 each fine imposed for a violation of a city ordinance prohibiting the acts  
6 prohibited by K.S.A. 8-1567 or 8-2,144 or K.S.A. 2014 Supp. 8-1025, and  
7 amendments thereto, shall be remitted by the judge or clerk of the  
8 municipal court to the state treasurer in accordance with the provisions of  
9 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such  
10 remittance, the state treasurer shall credit the entire amount to the  
11 community corrections supervision fund established by K.S.A. 2014 Supp.  
12 75-52,113, and amendments thereto.

13 (b) On and after July 1, 2013, the amount of \$2,500 from each fine  
14 imposed for a violation of a city ordinance prohibiting the acts prohibited  
15 by K.S.A. 2014 Supp. 21-6421, and amendments thereto, shall be remitted  
16 by the judge or clerk of the municipal court to the state treasurer in  
17 accordance with the provisions of K.S.A. 75-4215, and amendments  
18 thereto. Upon receipt of each such remittance, the state treasurer shall  
19 credit the entire amount to the human trafficking victim assistance fund  
20 established by K.S.A. 2014 Supp. 75-758, and amendments thereto.

21 (c) *On and after July 1, 2015, the amount of \$40 from each fine*  
22 *imposed for a violation of a city ordinance requiring the use of safety belts*  
23 *for those individuals required by K.S.A. 8-2503(a)(1), and amendments*  
24 *thereto, shall be remitted by the judge or clerk of the municipal court to*  
25 *the state treasurer in accordance with the provisions of K.S.A. 75-4215,*  
26 *and amendments thereto. Upon receipt of each such remittance, the state*  
27 *treasurer shall credit the amount pursuant to K.S.A. 74-7336, and*  
28 *amendments thereto.*

29 Sec. 4. K.S.A. 2014 Supp. 74-7336 is hereby amended to read as  
30 follows: 74-7336. (a) Of the remittances of fines, penalties and forfeitures  
31 received from clerks of the district court, at least monthly, the state  
32 treasurer shall credit:

- 33 (1) ~~10.94%~~10.22% to the crime victims compensation fund;
- 34 (2) ~~2.24%~~2.09% to the crime victims assistance fund;
- 35 (3) ~~2.75%~~2.57% to the community alcoholism and intoxication  
36 programs fund;
- 37 (4) ~~7.65%~~7.15% to the department of corrections alcohol and drug  
38 abuse treatment fund;
- 39 (5) ~~0.16%~~0.15% to the boating fee fund;
- 40 (6) ~~0.11%~~0.10% to the children's advocacy center fund;
- 41 (7) ~~2.28%~~2.13% to the EMS revolving fund;
- 42 (8) ~~2.28%~~2.13% to the trauma fund;
- 43 (9) ~~2.28%~~2.13% to the traffic records enhancement fund;

1 (10) ~~2.91%~~2.72% to the criminal justice information system line  
2 fund; ~~and~~

3 (11) *5.26% to the seat belt safety fund; and*

4 (12) the remainder of the remittances to the state general fund.

5 (b) The county treasurer shall deposit grant moneys as provided in  
6 subsection (a), from the crime victims assistance fund, to the credit of a  
7 special fund created for use by the county or district attorney in  
8 establishing and maintaining programs to aid witnesses and victims of  
9 crime.

10 Sec. 5. K.S.A. 2014 Supp. 8-2504, 12-4120 and 74-7336 are hereby  
11 repealed.

12 Sec. 6. This act shall take effect and be in force from and after its  
13 publication in the statute book.