



State of Kansas

Office of Judicial Administration

Kansas Judicial Center
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HOUSE APPROPRIATIONS

February 16, 2016

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Chief Financial Officer

Testimony in Support of HB 2279

Chairman Waymaster and committee members, thank you for the opportunity to present testimony today in support of HB 2279. The bill would extend the sunset on the distribution from the DUI drivers' license reinstatement fee. The Judicial Branch FY 2019 budget includes revenue of approximately \$950,000 from this fee to fund non-judge employee salaries. If the sunset were to occur, then the Judicial Branch would lose \$950,000 to fund non-judge employee salaries.

The DUI drivers' license reinstatement fee is paid when a person reinstates a license after losing it because of a DUI test failure or test refusal. The fee was increased during the 2014 legislative session and Judicial Branch non-judge salaries were included in the distribution. This distribution sunsets June 30, 2018 (in the middle of the two-year budget cycle). At that time, the Nonjudicial Salary Adjustment Fund (NJSA) will no longer receive 33% of the distribution that helps fund non-judge salaries.

The fee is based upon whether the reinstatement is because of a test failure or test refusal and further, by the number of prior refusals or failures in the driver's history. A history of the fee is included below:

ACTION	2014 TO PRESENT 2014 Session Laws, Chapter 1, Section 1	2001 TO 2014 2001 Session Laws, Chapter 200, Section 10	PRIOR TO 2001
TEST FAILURE			
First time	\$200	\$100	\$50
Second time	\$400	\$200	\$50
Third time	\$600	\$200	\$50
Fourth and subsequent	\$800	\$400	\$50

ACTION	2014 TO PRESENT 2014 Session Laws, Chapter 1, Section 1	2001 TO 2014 2001 Session Laws, Chapter 200, Section 10	PRIOR TO 2001
TEST REFUSAL			
First time	\$600	\$400	\$50
Second time	\$900	\$600	\$50
Third time	\$1,200	\$800	\$50
Fourth and subsequent	\$1,500	\$1,000	\$50

The bill has opposition from the agencies that would stand to benefit if the Judicial Branch were no longer included in the distribution. Therefore, two proposals have been identified that may alleviate the situation.

I ask that the committee pass a bill that will ensure a consistent funding stream for the NJSA fund. Thank you for your consideration. I am happy to stand for questions.