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Shawn Sullivan, Director of the Budget

Sam Brownback, Governor

March 21, 2017

The Honorable Blaine Finch, Chairperson  
House Committee on Judiciary  
Statehouse, Room 519-N  
Topeka, Kansas 66612

Dear Representative Finch:

**SUBJECT:** Fiscal Note for HB 2391 by House Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2391 is respectfully submitted to your committee.

Under current law, a person whose driving privileges have been suspended because of a qualifying alcohol or drug-related violation is eligible to apply to the Division of Vehicles for permission to drive a motor vehicle equipped with an ignition interlock device. HB 2391 would specify that each person who has an ignition interlock device installed would be required to complete an ignition interlock device program in accordance to rules and regulations adopted by the Secretary of Revenue. Before the person's driving privileges could be fully reinstated, an approved service provider would have to submit proof of completion of the program to the Division of Vehicles.

The bill would limit the five-year waiting period for first offense driving under the influence (DUI) expungements to violations committed on and after July 1, 2006. HB 2391 would exclude second or subsequent DUI expungements for violations committed from July 1, 2014, to July 1, 2015, from the ten-year waiting period. The bill would allow expunged arrests, convictions, and diversions to still be considered in determining the qualifications of a person applying for a license to act as a bail enforcement agent on and after July 1, 2016.

According to the Kansas Department of Revenue, enactment of HB 2391 would result in longer calls and hold times because the Division of Vehicles' staff would have to review approved Kansas companies with out-of-state drivers so those drivers are aware of who is

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approved in Kansas. The Department currently has seven approved companies. However, any fiscal effect to the Department could be absorbed within existing resources. Any fiscal effect associated with HB 2391 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: Ashley Michaelis, Judiciary  
Scott Schultz, Sentencing Commission  
Lynn Robinson, Department of Revenue  
Shelia Sawyer-Tyler, KBI  
Willie Prescott, Office of the Attorney General  
Stephen Durrell, Lottery  
Brandi White, Racing & Gaming Commission