

SESSION OF 2017

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2391

As Recommended by House Committee on
Judiciary

Brief*

HB 2391 would amend law regarding ignition interlock to require every person who has an ignition interlock device installed to complete the ignition interlock device program pursuant to rules and regulations adopted by the Secretary of Revenue. An approved service provider would have to provide proof of completion to the Division of Vehicles before the person's driving privileges would be fully reinstated.

The bill would also amend statutes governing expungements in municipal and district courts to state that provisions regarding expungement of violations of driving under the influence (DUI) or test refusal would apply to all violations committed on or after July 1, 2006, except that the district court expungement provision for a second or subsequent violation would not apply to violations committed on or after July 1, 2014, but prior to July 1, 2015.

[*Note:* The bill appears to make additional substantive amendments regarding copies of orders of expungement and bail enforcement agent licensing. However, these provisions are in existing law and are technical amendments to reconcile different versions of the statutes created by 2016 legislation.]

Background

The bill was introduced by the House Committee on Federal and State Affairs at the request of Representative

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Carpenter. In the House Committee on Judiciary hearing, Representative Carpenter and a representative of the Kansas Ignition Interlock Association testified in support of the bill. A representative of Mothers Against Drunk Driving submitted written-only proponent testimony. No neutral or opponent testimony was provided.

According to the fiscal note prepared by the Division of the Budget, the Kansas Department of Revenue indicates enactment of the bill would result in longer calls and hold times as staff reviewed approved Kansas companies with out-of-state drivers. However, any fiscal effect could be absorbed within existing resources. Any fiscal effect associated with the bill is not reflected in *The FY 2018 Governor's Budget Report*.