

February 11, 2021

The Honorable Russell Jennings, Chairperson
House Committee on Corrections and Juvenile Justice
Statehouse, Room 151B-S
Topeka, Kansas 66612

Dear Representative Jennings:

SUBJECT: Fiscal Note for HB 2193 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2193 is respectfully submitted to your committee.

HB 2193 would eliminate the \$25 application fee for a request for restricted driving privileges. The bill would replace the payment of a \$100 reinstatement fee per charge with a \$100 fee per case. The \$22 reinstatement fee to fund the costs of non-judicial personnel would be extended through June 30, 2025. Also, the bill would not allow an extension of suspension for persons found guilty of a charge of failure to comply with a traffic citation.

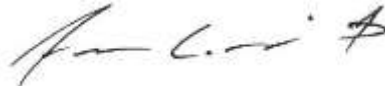
The Office of Judicial Administration (OJA) indicates that if the fee per case were to apply to all cases currently on file HB 2193 could have a significant fiscal effect on the expenditures of the Judicial Branch. If that is the case, all cases involving driver's license reinstatements would have to be examined and those cases that had a reinstatement fee assessed per charge would have to be changed to a reinstatement fee assessed per case. For all cases involving driver's license reinstatement that have been sent to collections, the clerks would have to recall those cases from the debt collection vendor and would then have to recalculate the debt owed without the reinstatement fee. The clerks would then have to resend the remaining debt back to the debt collection vendor for collection.

OJA also indicates that fee revenue collection would decrease by \$749,813 for FY 2022 and each subsequent year. The bill would change the \$100 fee per charge to \$100 fee per case for reinstatement of a license. For FY 2019, the driver's license reinstatement revenue in the Nonjudicial Salary Adjustment Fund was \$1,201,649. OJA estimates that the revenue would decrease by 44.0 percent or \$528,726 ($\$1,201,649 \times 0.44 = \$528,726$). In addition, there is a \$22

surcharge on every reinstatement fee. This fee is deposited into the Judicial Branch Docket Fee Fund. The FY 2019 driver's license reinstatement fee surcharge revenue in the Docket Fee Fund was \$502,471. OJA estimates that the revenue would decrease by 44.0 percent or \$221,087 ($\$502,471 \times 0.44 = \$221,087$).

The Department of Revenue indicates that the provisions of HB 2193 to remove the application fee and reinstatement fee would reduce revenue by approximately \$1.5 million in FY 2022. The agency estimates that the bill would increase one-time administrative expenditures by \$7,000 from the Division of Vehicles Operating Fund. The League of Kansas Municipalities indicates any cost to cities resulting from the enactment of this bill would be negligible. The Kansas Association of Counties indicates the bill could reduce fee revenues for counties, but the bill could help clear case backlogs. Any fiscal effect associated with HB 2193 is not reflected in *The FY 2022 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt
Director of the Budget

cc: Debbie Thomas, Judiciary
Lynn Robinson, Department of Revenue
Scott Schultz, Sentencing Commission
Randy Bowman, Corrections
Wendi Stark, League of Municipalities
Jay Hall, Association of Counties