

February 15, 2024

The Honorable Mike Petersen, Chairperson
Senate Committee on Transportation
300 SW 10th Avenue, Room 546-S
Topeka, Kansas 66612

Dear Senator Petersen:

SUBJECT: Fiscal Note for SB 426 by Senate Committee on Transportation

In accordance with KSA 75-3715a, the following fiscal note concerning SB 426 is respectfully submitted to your committee.

SB 426 would establish a fine of \$400 for the unlawful passing of a stationary authorized emergency vehicle. The bill specifies that unlawfully passing a stationary authorized emergency vehicle that results in injury or great bodily harm to a law enforcement officer or an emergency medical service provider would be a severity level six, person felony and would be subject to a fine of not less than \$1,000. SB 426 also specifies that unlawfully passing a stationary authorized emergency vehicle that results in death of a law enforcement officer or an emergency medical services provider would be a severity level four, person felony and would be subject to a fine of not less than \$7,500. An authorized emergency vehicle would be defined as a fire department vehicle, police bicycle, police vehicle, or an ambulance.

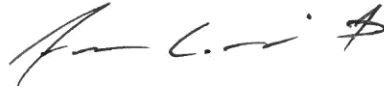
The Office of Judicial Administration states enactment of SB 426 could have a fiscal effect on Judicial Branch operations because the bill's provisions would increase criminal penalties so there could be less supervision required to be performed by court service officers. According to the Office, a fiscal effect cannot be estimated until the courts have been given an opportunity to operate under the bill's provisions. The Office indicates the bill's enactment could result in a decrease in supervision fee revenues, which would have been credited to the State General Fund. The Office states enactment of SB 426 could increase fine revenues, which would be credited to other state funds.

The Kansas Department of Transportation (KDOT) indicates the agency's Traffic Records Enhancement Fund currently receives 2.23 percent of all district court fines, penalties, and forfeitures, while the agency's Seat Belt Safety Fund receives 2.20 percent. KDOT estimates enactment of the bill could increase the number of fines collected because of the new traffic infraction, which would increase revenues to both funds; however, KDOT is unable to estimate a fiscal effect because the agency does not have enough information to estimate how many citations would be issued.

The Kansas Sentencing Commission estimates that enactment of SB 426 could increase prison admissions and the number of beds needed, but that a precise effect cannot be determined at this time. The Department of Corrections states any effect would be absorbed within existing resources. The Department of Revenue states enactment of the bill would not have a fiscal effect on agency operations. Any fiscal effect associated with SB 426 is not reflected in *The FY 2025 Governor's Budget Report*.

The League of Kansas Municipalities states enactment of the bill would not have a fiscal effect on cities.

Sincerely,

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

Adam C. Proffitt
Director of the Budget

cc: Lynn Robinson, Department of Revenue
Wendi Stark, League of Kansas Municipalities
Jay Hall, Kansas Association of Counties
Brendan Yorkey, Department of Transportation
Scott Schultz, Kansas Sentencing Commission
Jennifer King, Department of Corrections
Trisha Morrow, Judiciary