

February 20, 2015

The Honorable Jeff King, Chairperson  
Senate Committee on Judiciary  
Statehouse, Room 341-E  
Topeka, Kansas 66612

Dear Senator King:

SUBJECT: Fiscal Note for SB 230 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 230 is respectfully submitted to your committee.

SB 230 would modify the penalties for owners of vehicles who allow a person to operate those vehicles when the owner knows or reasonably should know that the person's driving privileges have been suspended and restricted because of test refusal, test failure or alcohol or drug-related convictions. If the person driving with suspensions or restrictions commits a driving under the influence violation, the penalty imposed against the owner would be a fine of not less than \$1,000 or more than \$2,500. If the person driving is involved in a motor vehicle accident while driving under the influence, the fine would be not less than \$2,500 or more than \$5,000.

The Office of Judicial Administration indicates that SB 230 would not have a large fiscal effect on Judicial Branch expenditures. It is possible that, as fine amounts increase, persons might present a more vigorous defense and that more cases might proceed to trial. This would create additional work for judges and non-judicial personnel to hear cases. The bill could also increase fine revenue, which is distributed to various agencies and the State General Fund. However, it is not possible to predict the number of additional cases that would arise or how complex and time-consuming they would be. Therefore, a precise fiscal effect on expenditures and revenues cannot be determined.

The League of Kansas Municipalities notes a similar effect may occur within municipal courts. The bill could result in more trials as defendants try to avoid convictions and the increased penalties. However, it is not known how many enhanced fine cases would be filed in

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municipal courts. Any fiscal effect associated with SB 230 is not reflected in *The FY 2016 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: Jack Smith, Department of Revenue  
Mary Rinehart, Judiciary  
Larry Baer, League of Municipalities  
Melissa Wangemann, Association of Counties