

As Amended by Senate Committee

Session of 2015

SENATE BILL No. 82

By Committee on Transportation

1-27

1 ~~AN ACT concerning motor vehicles; relating to the use of safety belts;~~
2 ~~establishing the seat belt safety fund; amending K.S.A. 2014 Supp. 8-~~
3 ~~2504, 12-4120 and 74-7336 and repealing the existing sections *making*~~
4 ~~*and concerning appropriations for the fiscal year ending June 30,*~~
5 ~~*2016; authorizing certain transfers.*~~
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 ~~New~~ Section 1. There is hereby established in the state treasury the
9 seat belt safety fund which shall be administered by the secretary of
10 transportation. All expenditures of moneys in the seat belt safety fund shall
11 be used for the purpose of promotion and education of occupant protection
12 among children, including, but not limited to, programs in schools in
13 Kansas and shall be made in accordance with appropriation acts upon
14 warrants of the director of accounts and reports issued pursuant to
15 vouchers approved by the secretary of transportation or by a person or
16 persons designated by the secretary of transportation. The secretary of
17 transportation may accept all gifts, grants, donations and bequests to the
18 fund. The secretary of transportation shall remit all moneys received under
19 this section to the state treasurer in accordance with the provisions of
20 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such
21 remittance, the state treasurer shall deposit the entire amount in the state
22 treasury to the credit of the seat belt safety fund.

23 ~~Sec. 2. K.S.A. 2014 Supp. 8-2504 is hereby amended to read as~~
24 ~~follows: 8-2504. (a) (1) Persons violating subsection (a)(1) of K.S.A. 8-~~
25 ~~2503(a), and amendments thereto, shall be fined \$5 and no court costs and,~~
26 ~~from and after July 1, 2011, persons violating subsection (a)(1) of K.S.A.~~
27 ~~8-2503, and amendments thereto, shall be fined \$10 and no court costs;~~
28 ~~and~~

29 ~~(2) persons violating subsection (a)(2) of K.S.A. 8-2503, and~~
30 ~~amendments thereto, shall be fined \$60 and no court costs.~~

31 ~~(b) No court shall report violation of this act to the department of~~
32 ~~revenue.~~

33 ~~(c) Evidence of failure of any person to use a safety belt shall not be~~
34 ~~admissible in any action for the purpose of determining any aspect of~~
35 ~~comparative negligence or mitigation of damages.~~

36 ~~(d) The provisions of this section shall be applicable and uniform~~

1 throughout the state and no city, county, subdivision or local authority
2 shall enact or enforce any law, ordinance, rule, regulation or resolution in
3 conflict with, in addition to, or supplemental to, the provisions of this
4 section.

5 ~~Sec. 3.—K.S.A. 2014 Supp. 12-4120 is hereby amended to read as~~
6 ~~follows: 12-4120. (a) On and after July 1, 2012, the amount of \$250 from~~
7 ~~each fine imposed for a violation of a city ordinance prohibiting the acts~~
8 ~~prohibited by K.S.A. 8-1567 or 8-2,144 or K.S.A. 2014 Supp. 8-1025, and~~
9 ~~amendments thereto, shall be remitted by the judge or clerk of the~~
10 ~~municipal court to the state treasurer in accordance with the provisions of~~
11 ~~K.S.A. 75-4215, and amendments thereto. Upon receipt of each such~~
12 ~~remittance, the state treasurer shall credit the entire amount to the~~
13 ~~community corrections supervision fund established by K.S.A. 2014 Supp.~~
14 ~~75-52,113, and amendments thereto.~~

15 ~~(b) On and after July 1, 2013, the amount of \$2,500 from each fine~~
16 ~~imposed for a violation of a city ordinance prohibiting the acts prohibited~~
17 ~~by K.S.A. 2014 Supp. 21-6421, and amendments thereto, shall be remitted~~
18 ~~by the judge or clerk of the municipal court to the state treasurer in~~
19 ~~accordance with the provisions of K.S.A. 75-4215, and amendments~~
20 ~~thereto. Upon receipt of each such remittance, the state treasurer shall~~
21 ~~credit the entire amount to the human trafficking victim assistance fund~~
22 ~~established by K.S.A. 2014 Supp. 75-758, and amendments thereto.~~

23 ~~(c) On and after July 1, 2015, the amount of \$40 from each fine~~
24 ~~imposed for a violation of a city ordinance requiring the use of safety belts~~
25 ~~for those individuals required by K.S.A. 8-2503(a)(1), and amendments~~
26 ~~thereto, shall be remitted by the judge or clerk of the municipal court to~~
27 ~~the state treasurer in accordance with the provisions of K.S.A. 75-4215,~~
28 ~~and amendments thereto. Upon receipt of each such remittance, the state~~
29 ~~treasurer shall credit the amount pursuant to K.S.A. 74-7336, and~~
30 ~~amendments thereto.~~

31 ~~Sec. 4.—K.S.A. 2014 Supp. 74-7336 is hereby amended to read as~~
32 ~~follows: 74-7336. (a) Of the remittances of fines, penalties and forfeitures~~
33 ~~received from clerks of the district court, at least monthly, the state~~
34 ~~treasurer shall credit:~~

- 35 ~~(1) 10.94%10.22% to the crime victims compensation fund;~~
- 36 ~~(2) 2.24%2.00% to the crime victims assistance fund;~~
- 37 ~~(3) 2.75%2.57% to the community alcoholism and intoxication~~
38 ~~programs fund;~~
- 39 ~~(4) 7.65%7.15% to the department of corrections alcohol and drug~~
40 ~~abuse treatment fund;~~
- 41 ~~(5) 0.16%0.15% to the boating fee fund;~~
- 42 ~~(6) 0.11%0.10% to the children's advocacy center fund;~~
- 43 ~~(7) 2.28%2.13% to the EMS revolving fund;~~

