

HOUSE BILL No. 2076

By Committee on Transportation

1-18

1 AN ACT concerning motor vehicles; relating to the use of safety belts;
2 establishing the seat belt safety fund; amending K.S.A. 2016 Supp. 8-
3 2504, 12-4120 and 74-7336 and repealing the existing sections.

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

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

21 Sec. 2. K.S.A. 2016 Supp. 8-2504 is hereby amended to read as
22 follows: 8-2504. (a) (1) ~~Persons violating subsection (a)(1) of K.S.A. 8-~~
23 ~~2503(a)(1), and amendments thereto, shall be fined \$5 and no court costs~~
24 ~~and, from and after July 1, 2011, persons violating subsection (a)(1) of~~
25 ~~K.S.A. 8-2503, and amendments thereto, shall be fined \$10 \$30 and no~~
26 ~~court costs; and~~

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

29 (b) No court shall report violation of this act to the department of
30 revenue.

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

34 (d) The provisions of this section shall be applicable and uniform
35 throughout the state and no city, county, subdivision or local authority
36 shall enact or enforce any law, ordinance, rule, regulation or resolution in

1 conflict with, in addition to, or supplemental to, the provisions of this
2 section.

3 Sec. 3. K.S.A. 2016 Supp. 12-4120 is hereby amended to read as
4 follows: 12-4120. (a) On and after July 1, 2012, the amount of \$250 from
5 each fine imposed for a violation of a city ordinance prohibiting the acts
6 prohibited by K.S.A. 8-1567 or 8-2,144 or K.S.A. 2016 Supp. 8-1025, and
7 amendments thereto, shall be remitted by the judge or clerk of the
8 municipal court to the state treasurer in accordance with the provisions of
9 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such
10 remittance, the state treasurer shall credit the entire amount to the
11 community corrections supervision fund established by K.S.A. 2016 Supp.
12 75-52,113, and amendments thereto.

13 (b) On and after July 1, 2013, the amount of \$2,500 from each fine
14 imposed for a violation of a city ordinance prohibiting the acts prohibited
15 by K.S.A. 2016 Supp. 21-6421, and amendments thereto, shall be remitted
16 by the judge or clerk of the municipal court to the state treasurer in
17 accordance with the provisions of K.S.A. 75-4215, and amendments
18 thereto. Upon receipt of each such remittance, the state treasurer shall
19 credit the entire amount to the human trafficking victim assistance fund
20 established by K.S.A. 2016 Supp. 75-758, and amendments thereto.

21 (c) *On and after July 1, 2017, the amount of \$20 from each fine*
22 *imposed for a violation of a city ordinance requiring the use of safety belts*
23 *for those individuals required by K.S.A. 8-2503(a)(1), and amendments*
24 *thereto, shall be remitted by the judge or clerk of the municipal court to*
25 *the state treasurer in accordance with the provisions of K.S.A. 75-4215,*
26 *and amendments thereto. Upon receipt of each such remittance, the state*
27 *treasurer shall credit the entire amount to the seat belt safety fund*
28 *established by section 1, and amendments thereto.*

29 Sec. 4. K.S.A. 2016 Supp. 74-7336 is hereby amended to read as
30 follows: 74-7336. (a) Of the remittances of fines, penalties and forfeitures
31 received from clerks of the district court, at least monthly, the state
32 treasurer shall credit:

- 33 (1) ~~10.94%~~10.7% to the crime victims compensation fund;
- 34 (2) ~~2.24%~~2.19% to the crime victims assistance fund;
- 35 (3) ~~2.75%~~2.69% to the community alcoholism and intoxication
36 programs fund;
- 37 (4) ~~7.65%~~7.48% to the department of corrections alcohol and drug
38 abuse treatment fund;
- 39 (5) 0.16% to the boating fee fund;
- 40 (6) 0.11% to the children's advocacy center fund;
- 41 (7) ~~2.28%~~2.23% to the EMS revolving fund;
- 42 (8) ~~2.28%~~2.23% to the trauma fund;
- 43 (9) ~~2.28%~~2.23% to the traffic records enhancement fund;

1 (10) ~~4.4%~~ 4.31% to the criminal justice information system line fund;

2 ~~and~~

3 (11) 2.2% to the seat belt safety fund; and

4 (12) the remainder of the remittances to the state general fund.

5 (b) The county treasurer shall deposit grant moneys as provided in
6 subsection (a), from the crime victims assistance fund, to the credit of a
7 special fund created for use by the county or district attorney in
8 establishing and maintaining programs to aid witnesses and victims of
9 crime.

10 Sec. 5. K.S.A. 2016 Supp. 8-2504, 12-4120 and 74-7336 are hereby
11 repealed.

12 Sec. 6. This act shall take effect and be in force from and after its
13 publication in the statute book.