

SESSION OF 2004

SUPPLEMENTAL NOTE ON SENATE BILL NO. 552

As Amended by House Committee of the Whole

Brief*

SB 552 would increase by 4.0 percent the percentage of fines, penalties, and forfeitures credited to the Crime Victims Compensation Fund and increase by 1.0 percent the percentage of fines, penalties, and forfeitures credited to the Crime Victims Assistance Fund. Under SB 552, the percentage credited to the Crime Victims Compensation Fund would increase from the statutory rate of 7.99 percent to 11.99 percent and the percentage credited to the Crime Victims Assistance Fund would increase from 1.45 percent to 2.45 percent.

Background

SB 552 was recommended for introduction by the Senate Ways and Means Subcommittee on the Attorney General's budget. Tripling fines, penalties, and forfeitures in 2001 actually had the effect of reducing revenues to the state from this source, apparently because it changed behavior at the local level and fewer fines, penalties, and forfeitures are being collected in some cases. The reduction in revenue has affected the Crime Victims Compensation Fund, which pays claims to victims of crimes for damages and losses, and the Crime Victims Assistance Fund, which supports local victims rights programs, child exchange and visitation centers.

To address the situation, the 2003 Legislature increased the percentage of fines, penalties, and forfeitures credited to the two funds by 1.0 percent. The authorization was made in the appropriations bill and is effective for only the current fiscal year.

As introduced, SB 552 would have made the 1.0 percent increase to each fund permanent by enacting it in substantive law. The

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

House Committee of the Whole increased the percentage credited to the Crime Victims Compensation Fund by 4.0 percent.

According to the Division of the Budget, a 1.0 percent increase in fines, penalties, and forfeitures would equal \$188,864 in FY 2005. Enactment of SB 552 would cause an increase to the two funds combined of \$944,320, which would be a loss of that amount to the State General Fund which otherwise would receive the revenue from fines, penalties, and forfeitures.