

SESSION OF 2010

**SUPPLEMENTAL NOTE ON  
HOUSE SUBSTITUTE FOR SENATE BILL NO. 26**

As Recommended by House Committee on  
Corrections and Juvenile Justice

**Brief\***

House Sub. for SB 26 would increase the fine assessed on traffic infractions that are on the uniform fine schedule by \$10. The revenue created by the increased fine would be directed to the State Treasury for distribution as follows:

- 11.27 percent to the Crime Victims Compensation Fund;
- 2.30 percent to the Crime Victims Assistance Fund;
- 2.83 percent to the Community Alcoholism and Intoxication Programs Fund;
- 7.89 percent to the Department of Corrections' Alcohol and Drug Abuse Treatment Fund;
- 0.16 percent to the Boating Fee Fund;
- 0.11 percent to the Children's Advocacy Center Fund;
- 2.35 percent to the EMS Revolving Fund;
- 2.35 percent to the Trauma Fund;
- 2.35 percent to the Traffic Records Enhancement Fund;  
and
- The remainder to the State General Fund.

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\*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>

## **Background**

SB 26, as introduced, would have amended the felony sentencing statute to create a special rule to enhance the sentence on drug manufacturing, drug trafficking, and some drug possession crimes if the offender carries, brandishes, or discharges a firearm during the commission or furtherance of the drug crime. A version of this bill was enacted by the passage of 2009 HB 2060.

The House Committee on Corrections and Juvenile Justice deleted the provisions of SB 26 relating to the sentence enhancement and inserted the provisions of 2010 Sub. for HB 2413 relating to increasing traffic fines. Sub. for HB 2413 was passed out of the House Committee on Corrections and Juvenile Justice but was stricken from the House Calendar pursuant to House Rule 1507.

The Joint Committee on Corrections and Juvenile Justice Oversight (JCCJJO) studied the issue of changing the district court fine allocation to fund the alcohol and drug treatment programs in prison during the 2009 Interim. JCCJJO endorsed the idea of increasing the percentage credited to the Kansas Department of Correction's Alcohol and Drug Abuse Treatment Fund and recommended HB 2413, as it was introduced.

HB 2413, as introduced, would have increased the percentage of court fines, penalties, and forfeitures that are credited to the Department of Corrections Alcohol and Drug Abuse Treatment Fund. The increase would have been taken from the money credited to the State General Fund. The proponents of this version of the bill who testified at the House Committee were representatives of the Kansas Association of Addiction Professionals and the Kansas Department of Health and Environment. There were no opponents of this version of the bill.

A substitute bill was provided to the Committee members when the bill, as introduced, was worked for final action in the

House Committee. There was no testimony on the substitute version of the bill. That version of the bill increases traffic fines by \$10.

The fiscal note on the bill, as introduced, may not be applicable since the substitute bill is different.