

January 19, 2023

The Honorable Stephen Owens, Chairperson  
House Committee on Corrections and Juvenile Justice  
300 SW 10th Avenue, Room 546-S  
Topeka, Kansas 66612

Dear Representative Owens:

**SUBJECT:** Fiscal Note for HB 2005 by Representative Carmichael

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2005 is respectfully submitted to your committee.

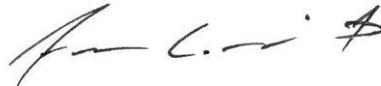
HB 2005 would create a traffic infraction for operating a vehicle while fatigued with a fine of \$75.

The Office of Judicial Administration states enactment of HB 2005 could increase the number of cases filed in district court because it creates a new violation for operating a vehicle while fatigued, which could result in more time spent by court employees and judges processing and deciding these cases. The Office states enactment of the bill could result in the collection of docket fees and fines assessed in those cases filed under the bill's provisions, which would be credited to the State General Fund. According to the Office, a fiscal effect cannot be estimated until the Judicial Branch has had an opportunity to operate under the bill's provisions.

The Kansas Department of Transportation (KDOT) indicates enactment of the bill would create a new traffic infraction with a fine of \$75. The agency's Traffic Records Enhancement Fund currently receives 2.23 percent of all district court fines, penalties, and forfeitures, while the agency's Seat Belt Safety Fund receives 2.2 percent. KDOT estimates enactment of the bill could increase the number of fines collected because of the new traffic infraction, which would increase revenues to both funds; however, KDOT is unable to estimate a fiscal effect because the agency does not have enough information to determine how many citations would be issued. KDOT

estimates that any increase in revenue to both funds would be negligible. Any fiscal effect associated with HB 2005 is not reflected in *The FY 2024 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt  
Director of the Budget

cc: Vicki Jacobsen, Judiciary  
Brendan Yorkey, Department of Transportation  
Wendi Stark, League of Kansas Municipalities  
Jay Hall, Kansas Association of Counties