

February 4, 2019

The Honorable Fred Patton, Chairperson  
House Committee on Judiciary  
Statehouse, Room 519-N  
Topeka, Kansas 66612

Dear Representative Patton:

**SUBJECT:** Fiscal Note for HB 2104 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2104 is respectfully submitted to your committee.

Under current law, if a person refuses to submit to and complete or fail a test or tests of breath or other bodily substance other than blood or urine to determine the presence of alcohol or drugs, the person's driving privileges are suspended for a period of at least 30 days and up to one year.

HB 2104 would amend law regarding those tests. Violations of these provisions would result in the persons driving privileges being suspended for a period of one year. In addition, failure of the test would result in the suspension of the person's driving privileges for a period of either 30 days or one year. The bill would also remove the provision indicating any person who operates or attempts to operate a vehicle within the State of Kansas is deemed to have given consent to submit to a preliminary screening test of the person's breath or saliva.

The Office of Judicial Administration, the Department of Revenue and the Sentencing Commission indicate enactment of HB 2104 would not have a fiscal effect on the agencies.

Sincerely,



Larry L. Campbell  
Director of the Budget

cc: Janie Harris, Judiciary  
Scott Schultz, Sentencing Commission  
Lynn Robinson, Department of Revenue