

February 11, 2020

The Honorable Russell Jennings, Chairperson
House Committee on Corrections and Juvenile Justice
Statehouse, Room 151B-S
Topeka, Kansas 66612

Dear Representative Jennings:

SUBJECT: Fiscal Note for HB 2547 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2547 is respectfully submitted to your committee.

HB 2547 would eliminate the \$25 application fee for a request for restricted driving privileges. The bill would replace the payment of a \$100 reinstatement fee per charge with a \$100 fee per case. The \$22 reinstatement fee to fund the costs of non-judicial personnel would be extended through June 30, 2025.

The Office of Judicial Administration (OJA) indicates that HB 2547 could have significant fiscal effect on expenditures of the Judicial Branch. The bill appears to be retroactive to include cases prior to July 1, 2018. If that is the case, it would cause the work of district court clerks to increase substantially. For all cases involving driver's license reinstatement that have been sent to collections, the clerks would have to recall those cases from the debt collection vendor and would then have to recalculate the debt owed without the reinstatement fee. The fees would be collected after a person has been determined to be eligible for reinstatement. The clerks would then have to re-send the remaining debt back to the debt collection vendor for collection.

OJA states that fee revenue collection would decrease by \$749,813 for FY 2021 and beyond. The bill would change the \$100 fee per charge to \$100 fee per case for reinstatement of a license. For FY 2019, the driver's license reinstatement revenue in the Nonjudicial Salary Adjustment Fund was \$1,201,649. OJA estimates that the revenue would decrease by 44.0 percent or \$528,726 ($\$1,201,649 \times .44$). In addition, there is a \$22 surcharge on every reinstatement fee. This fee is deposited into the Judicial Branch Docket Fee Fund. The FY 2019 driver's license reinstatement fee surcharge revenue in the Docket Fee Fund was \$502,471. OJA estimates that the revenue would decrease by 44.0 percent or \$221,087 ($\$502,471 \times .44$).

The Department of Revenue indicates that HB 2547 would affect agency expenditures and revenue in FY 2021. The agency estimates that the bill would increase one-time administrative expenditures by \$7,000 from the Division of Vehicles Operating Fund. There were 6,669 individuals who applied for the modification in calendar year 2019. Removing the \$25 fee would result in a reduction of \$166,725 (6,669 X \$25) in revenue for the Division of Vehicles Operating Fund. Any fiscal effect associated with HB 2547 is not reflected in *The FY 2021 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink that reads "L. L. Campbell". The signature is written in a cursive style with a large, sweeping initial "L".

Larry L. Campbell
Director of the budget

cc: Lynn Robinson, Department of Revenue
Mary Rinehart, Judiciary