Senate Bill 183
Debt Set-off Collection Fee

TESTIMONY
By: Amanda Truan, Clerk of the District Court
Ellis County District Court
Twenty-Third Judicial District of Kansas

February 16, 2015

Mr. Chairman and Members of the Committee:

I want to thank you for the opportunity to appear before you today on behalf of the Kansas Association of District Court Clerks and Administrators (KADCCA) regarding Senate Bill 183.

KADCCA is asking you to amend certain provisions in the statutes that govern the state's Debt Setoff Program. The purpose of these changes is to make the Debt Setoff Program more accessible to courts throughout the state, as well as to increase the amount of court debt that may be collected through the program.

The first proposed change would provide that, in determining the total amount subject to setoff, the Director of Accounts and Reports of the Department of Administration shall add its collection assistance fee to the debt submitted by a state agency. Related procedural changes would be made to K.S.A. 75-6209 and K.S.A. 75-6210.

KADCCA requested and was granted an amendment to K.S.A. 75-6210 in 2013 that said the Department of Administration's collection assistance fee must be paid as an additional cost for all debts owed to the court. The purpose of that amendment was to ensure that courts receive the full amount of debt owed to them when utilizing the Debt Setoff Program. We are proposing these new amendments to clarify our original intent that the collection assistance fee be added to the debt by the Department of Administration after the court certifies the debt.

The second proposed change would clarify that any contracting agent approved by the Attorney General to collect debts owed to courts pursuant to K.S.A. 75-719 is permitted to establish an account directly with the Department of Administration for the purpose of recovering court debt through the Debt Setoff Program. With this change, a clerk could send all debts to the court's contracting agent, and the contracting agent could then submit these debts to the Debt Setoff Program (when appropriate), thereby eliminating the need for the clerk's involvement in multiple debt collection processes. We believe this will save valuable time and increase the number of court debts that are submitted for collection through the Debt Setoff Program.

Thank you for your consideration of SB 183. I would be happy to stand for any questions you might have.