

SESSION OF 2009

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2139

As Amended by House Committee on
Corrections and Juvenile Justice

Brief*

HB 2139, as amended, would amend the current law on disposition of district court fines, penalties, and forfeitures. The bill would increase the percentage credited to the Kansas Department of Corrections (KDOC) from 2.01 percent (current law) to 7.01 percent. The bill would delete the 2.50 percent credit to the trauma fund and the 2.50 percent credit to the traffic records enhancement fund.

Background

The proponents of the bill, as introduced, who testified at the House Committee were Roger Werholtz, Secretary, KDOC; and Dennis Williams, Director of Finance, KDOC.

There were no opponents of the bill, as introduced, who testified at the House Committee.

Kathy Porter, Office of Judicial Administration, provided neutral testimony on the bill, as introduced.

The House Committee amended the bill to:

- Increase the credit to the KDOC from 6.3 percent (in the bill, as introduced) to 7.01 percent;
- Delete the 2.50 percent credit to the trauma fund; and
- Delete the 2.50 percent credit to the traffic records enhancement fund.

*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>

According to the fiscal note on the bill, as introduced, enactment of HB 2139 would decrease the share of court fines, penalties, and forfeitures that is transferred to the State General Fund by \$878,000. Conversely, KDOC estimates that a rate of 6.30 percent would result in receipts of \$1,294,000, or an increase of \$878,000, to the Alcohol and Drug Abuse Treatment Fund. KDOC states that the additional resources would be used to finance treatment costs and program deficits. Any fiscal effect resulting from the enactment of HB 2139 is not accounted for in *The FY 2010 Governor's Budget Report*.

(KLRD Staff note: The House Committee amendment to the bill would increase the percentage credited to KDOC and would delete the credit to the two funds that would equal the amount of the increase to KDOC. The result is there would be no decrease in the share of court fines, penalties, and forfeitures that is transferred to the State General Fund.)