



March 10, 2026

The Honorable Shannon Francis, Chairperson
House Committee on Transportation
300 SW 10th Avenue, Room 582-N
Topeka, Kansas 66612

Dear Representative Francis:

SUBJECT: Fiscal Note for HB 2792 by House Committee on Taxation

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2792 is respectfully submitted to your committee.

HB 2792 would prohibit a person from using a mobile telephone while operating a motor vehicle in a school zone at a time when a reduced speed limit is enforced or in a road construction zone while workers are present. The bill's provisions would not apply to the following: (1) a law enforcement officer or emergency service personnel acting within the course and scope of employment; (2) a person operating a motor vehicle that is halted at a location where the vehicle can safely and lawfully remain stationary; and (3) a mobile telephone that is being used with a hands-free device.

The bill's provisions would not prohibit a person using a mobile telephone while operating a motor vehicle to report current or ongoing illegal activity to a law enforcement agency, prevent imminent injury to a person or property, summon medical or other emergency assistance, or relay information between a transit or for hire operator and the operator's dispatcher if the device is permanently affixed to the motor vehicle. A law enforcement officer would be prohibited from, without the consent of the person, from confiscating a mobile telephone device for the purpose of determining compliance with the bill's provisions; confiscating a mobile telephone and retaining it as evidence pending trial for a violation of the bill's provisions; or extracting or otherwise downloading information from a mobile telephone for a violation of the bill's provisions, unless the law enforcement officer has probable cause to believe that the mobile telephone has been used in the commission of a crime, the information is extracted or otherwise downloaded under a valid search warrant, or otherwise authorized by law. The bill would establish a fine of \$60 for the unlawful use of a mobile telephone.

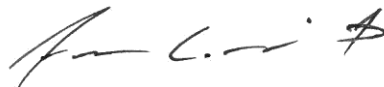
The Office of Judicial Administration indicates enactment of HB 2792 could have a fiscal effect on Judicial Branch operations because the bill would create a new traffic infraction, which could increase the number of cases filed in district court and result in more time spent by court employees and judges processing and deciding cases. The Office indicates enactment of the bill could result in the collection of fees and fines assessed in those cases filed under the bill's provisions, which would be credited to the State General Fund. However, a fiscal effect cannot be estimated.

The Kansas Department of Transportation (KDOT) indicates 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 2.20 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 estimate how many citations would be issued.

The Kansas Highway Patrol indicates enactment of the bill would not have a fiscal effect. Any fiscal effect associated with HB 2792 is not reflected in *The FY 2027 Governor's Budget Report*.

Both the League of Kansas Municipalities and the Kansas Association of Counties indicate the bill's enactment would have a negligible fiscal effect on local governments; however, neither the League nor the Association is able to estimate a precise fiscal effect.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt", followed by a stylized flourish.

Adam C. Proffitt
Director of the Budget

cc: Trisha Morrow, Judiciary
Brendan Yorkey, Department of Transportation
Bruce Chladny, Kansas Association of Counties
Wendi Stark, League of Kansas Municipalities