

February 4, 2025

The Honorable Mike Petersen, Chairperson
Senate Committee on Transportation
300 SW 10th Avenue, Room 546-S
Topeka, Kansas 66612

Dear Senator Petersen:

SUBJECT: Fiscal Note for SB 113 by Senate Committee on Transportation

In accordance with KSA 75-3715a, the following fiscal note concerning SB 113 is respectfully submitted to your committee.

SB 113 would allow a driver convicted of operating a vehicle at a speed of 100 miles per hour or more or 35 miles per hour or more over the maximum posted speed limit to be charged with reckless driving. Upon the first conviction, a person would be sentenced to not less than five days and no more than 90 days imprisonment or fined not less than \$25 or more than \$500, or both a fine and imprisonment. A second or subsequent conviction would result in not less than ten days or more than six months imprisonment or fined not less than \$50 or more than \$500, or both a fine and imprisonment.

The Office of Judicial Administration indicates enactment of SB 113 would have a fiscal effect on Judicial Branch operations as the bill would expand the crime of reckless driving. This expansion would increase the number of cases filed in district court and result in more time spent by court employees and judges processing and deciding cases. Since this crime would carry a misdemeanor penalty, there could also be more supervision of offenders required to be performed by court services officers. The Office indicates enactment of the bill would 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.

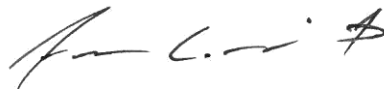
The Kansas Department of Transportation (KDOT) indicates the agency's Traffic Records Enhancement Fund currently receives 2.23 percent of all district court fines, penalties, and forfeitures, while the agency's Seat Belt Safety Fund receives 2.20 percent. KDOT estimates enactment of the bill would increase the number of fines collected because of the bill's new

provision concerning reckless driving, 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 individuals would be convicted of reckless driving.

The Kansas Sentencing Commission states the bill's enactment would address only misdemeanor penalties and would have no effect on felony sentencing or prison admissions. The Department of Revenue indicates enactment of the bill would not have a fiscal effect on agency operations. Any fiscal effect associated with SB 113 is not reflected in *The FY 2026 Governor's Budget Report*.

The Kansas Association of Counties states enactment of the bill could have a fiscal effect on counties; however, the Association does not have enough information to estimate a fiscal effect.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt", with a stylized flourish at the end.

Adam C. Proffitt
Director of the Budget

cc: Lynn Robinson, Department of Revenue
Brendan Yorkey, Department of Transportation
Jay Hall, Kansas Association of Counties
Scott Schultz, Kansas Sentencing Commission
Trisha Morrow, Judiciary