

February 14, 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 122 by Senator Holscher

In accordance with KSA 75-3715a, the following fiscal note concerning SB 122 is respectfully submitted to your committee.

SB 122 would prohibit the use of electronic communication devices as detailed in the bill while operating a motor vehicle. The bill would make related definitions, provide exceptions, and specify penalties for violations.

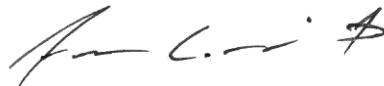
The Office of Judicial Administration states enactment of SB 122 could increase the number of cases filed in district courts because it creates a new crime of use of an electronic communications device while operating a motor vehicle. This could result in more time spent by judicial and nonjudicial personnel processing, researching, and hearing these cases. The Office estimates enactment of the bill could result in the collection of docket fees and fines assessed in those cases filed under the bill's provisions, which would be deposited to the State General Fund. The bill would not affect other revenues to the Judicial Branch. However, a fiscal effect cannot be estimated. The Kansas Sentencing Commission states that enactment of the bill could increase prison admissions and prison beds, as well as the workload of the Commission, but a total fiscal effect could not be estimated.

According to the Kansas Department of Transportation, the agency's Traffic Records Enhancement Fund receives 2.23 percent of all district court fines, penalties, and forfeitures and the Seat Belt Safety Fund receives 2.2 percent of all district court fines, penalties, and forfeitures. The agency states that passage of SB 122 would likely increase the amount of fines collected by adding a new traffic infraction and criminal penalties which would then increase revenues into the funds. The agency is unable to provide a precise estimate on the increased revenues as it is

unknown how many individuals would be cited or convicted if the bill was enacted but believes any increase in revenue to the two funds would be negligible. The Kansas Highway Patrol states that enactment of the bill would not result in a fiscal effect for the agency. Any fiscal effect associated with SB 122 is not reflected in *The FY 2026 Governor's Budget Report*.

The League of Kansas Municipalities notes enactment of the bill is anticipated to have a negligible effect on cities. The Kansas Association of Counties states enactment of the bill could result in additional ticketing and prosecutions for violations, but a total fiscal effect could not be estimated.

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: Sherry Macke, Kansas Highway Patrol  
Trisha Morrow, Judiciary  
Scott Schultz, Kansas Sentencing Commission  
Jay Hall, Kansas Association of Counties  
Wendi Stark, League of Kansas Municipalities  
Brendan Yorkey, Department of Transportation