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House Bill 2114
Debt Set-off Collection Fee

TESTIMONY

By: Pam Moses, Clerk of District Court
Reno County District Court
Twenty-seventh Judicial District of Kansas

February 5, 2013

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to appear before you today on behalf of the Kansas Association of District Court Clerks and Administrators (KADCCA) regarding House Bill 2114.

KADCCA is asking to amend K.S.A. 75-6210 to provide that the debt set-off collection assistance fee be paid as an additional cost for all debts owed to the court when a debt set-off procedure is utilized. Under current law, the 17 percent debt setoff collection assistance fee is paid from the amount collected, making the amount remitted to the court 17 percent less than the debt owed. Currently, we make attempts to collect on these fees by sending statements to the defendants before we turn them over to collection agencies approved by the Attorney General. Our proposal is an attempt to eliminate losing any amounts collected to the debt collection process, and to make collections on overdue fines, fees and restitution mirror the collection fee according to the Attorney General contracts.

KADCCA would ask that the debt setoff collection assistance fee reflect the same intent of the debt collection fee authorized in K.S.A. 75-719, which is: The cost of collection shall be deemed an administrative fee to pay the actual costs of collection made necessary by the defendant's failure to pay court debt and restitution.

Thank you for giving me the opportunity to speak on House Bill 2114.

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	A	B	C	D	E
1		Amount Owed to Court and Victim	Amount Received by Court and Victim - Current Statute	Amount Lost to Dept. of Revenue Collection Fee - Current Statute	
2					
3					
4	\$100.00 Fine - payable to State of Kansas	\$100.00	\$83.00	\$17.00	
5	\$138.00 Clerks Fees - payable to State of Kansas	\$138.00	\$114.54	\$23.46	
6	\$45.00 Finger Print Fee - payable to County	\$45.00	\$37.35	\$7.65	
7	\$100.00 Indigent Defense (BIDS) - payable to Indigent Defense Fund	\$100.00	\$83.00	\$17.00	
8	\$22.00 Judicial Branch Surcharge - to supplement Judicial Branch salaries	\$22.00	\$18.26	\$3.74	
9	\$500.00 Restitution - payable to victim	\$500.00	\$415.00	\$85.00	
10					
11	Total	\$905.00	\$751.15	\$153.85	