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TESTIMONY IN SUPPORT OF  
House Bill 2114  
Debt Set-off Collection Fee

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

March 20, 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 multiple 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, which is set out at K.S.A. 75-719.

KADCCA would ask that the debt set-off collection assistance be consistent with 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.

An example is attached showing the anticipated financial effect to court fee and restitution recipients, as a result of this bill's passage. Thank you for your time and I would be happy to stand for questions.

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	Amount Owed to Court and Victim	Amount Received by Court and Victim - Current Statute	Amount Lost to Dept. of Revenue Collection Fee - Current Statute	
\$100.00 Fine - payable to State of Kansas	\$100.00	\$83.00	\$17.00	
\$138.00 Clerks Fees - payable to State of Kansas	\$138.00	\$114.54	\$23.46	
\$45.00 Finger Print Fee - payable to County	\$45.00	\$37.35	\$7.65	
\$100.00 Indigent Defense (BIDS) - payable to Indigent Defense Fund	\$100.00	\$83.00	\$17.00	
\$22.00 Judicial Branch Surcharge - to supplement Judicial Branch salaries	\$22.00	\$18.26	\$3.74	
\$500.00 Restitution - payable to victim	\$500.00	\$415.00	\$85.00	
Total	\$905.00	\$751.15	\$153.85	