

February 13, 2013

The Honorable John Rubin, Chairperson  
House Committee on Corrections and Juvenile Justice  
Statehouse, Room 151-S  
Topeka, Kansas 66612

Dear Representative Rubin:

**SUBJECT:** Fiscal Note for HB 2218 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2218 is respectfully submitted to your committee.

HB 2218 would amend driving under the influence (DUI) laws relating to testing for the presence of alcohol. The bill would specify that law enforcement officers must request a person to submit to testing “at the time of the request” under the following conditions:

1. The officer had reasonable grounds to believe the person was operating or attempting to operate a vehicle or commercial vehicle while under the influence of drugs, alcohol, or both;
2. The officer had reasonable grounds to believe the person was under the age of 21 and was operating or attempting to operate a vehicle while having alcohol or other drugs in the person’s system; and,
3. The person had been arrested or taken into custody for any violation of any state statute, county resolution, or city ordinance.

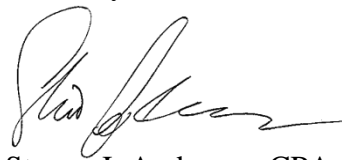
The bill would also clarify in several affected statutes that the under 21 provision includes operation or attempted operation of a vehicle.

Estimated State Fiscal Effect				
	FY 2013 SGF	FY 2013 All Funds	FY 2014 SGF	FY 2014 All Funds
Revenue	--	--	--	--
Expenditure	--	\$20,000	--	--
FTE Pos.	--	--	--	--

According to the Department of Revenue, passage of HB 2218 would require the revision of the implied consent and hearing order forms, which would need to be sent to state and local law enforcement agencies. The Department estimates that the costs for revising, printing and mailing the forms would total \$20,000. These costs would be incurred in FY 2013 and be paid from the agency's Vehicle Operating Fund.

It is expected that any fiscal effect that the bill may have on state and local law enforcement agencies would be accommodated within current state or local government resources. Any fiscal effect associated with HB 2218 is not reflected in *The FY 2014 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson", written in a cursive style.

Steven J. Anderson, CPA, MBA  
Director of the Budget

cc: Steve Neske, Revenue  
Larry Baer, LKM  
Melissa Wangemann, KAC