

March 5, 2013

REVISED

The Honorable Ty Masterson, Chairperson
Senate Committee on Ways and Means
Statehouse, Room 545-S
Topeka, Kansas 66612

Dear Senator Masterson:

SUBJECT: Revised Fiscal Note for SB 218 by Senate Committee on Ways and Means

In accordance with KSA 75-3715a, the following revised fiscal note concerning SB 218 is respectfully submitted to your committee.

SB 218 would authorize the current Judicial Branch surcharge for two additional years, through July 1, 2015. The bill would also remove the percentage split mechanism through which a portion of docket fees is credited to a number of state funds. The balance would instead be deposited in the Judicial Branch Docket Fee Fund, which the bill creates. Judicial Branch surcharge revenues would also be deposited in this fund. The fee that was added to provide revenue to the Indigents Defense Services Fund would be eliminated by the bill, and the bill would make a technical correction to remove language authorizing an application fee of \$25 for a written request to have driving privileges restricted, rather than suspended, for failure to comply with traffic citations. This provision expired on January 1, 2012. In addition, the bill would make a number of technical corrections to remove references to the Department of Social and Rehabilitation Services and replace those references to the Department for Aging and Disability Services.

Since the original fiscal effect statement was issued, the Board of Indigents Defense Services has provided information on the fiscal effect of this bill. The Board indicates that in FY 2012 it received \$173,792 from the court's docket fees and expects that amount would remain fairly consistent from year to year. According to the agency, it would be unable to replace this funding with other agency sources and would require the amount be added to its annual State General Fund request.

According to the Office of Judicial Administration, passage of SB 218 would have a fiscal effect on revenues for the Judicial Branch and other state agencies. In FY 2012, the Judicial Branch surcharge generated \$10.4 million; in FY 2013, the agency estimates that it will generate \$10.2 million in receipts. The passage of SB 218 would continue the surcharge revenue for FY 2014 and FY 2015 and direct it to the Judicial Branch Docket Fee Fund. The Office estimates that the docket fee revenue in FY 2014 will be \$18.3 million. Of that total, \$7.8

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million would be credited to funds within the Judicial Branch, \$1.7 million would go to other state and local agencies, and \$8.8 million would go to the State General Fund. Passage of SB 218 would result in the entire amount of revenue going to the Judicial Branch. This would reduce revenues to a number of other agencies in state government, including the Judicial Council, the Office of the Attorney General, and the Kansas Department of Health and Environment, as well as grant funding to local agencies and organizations.

The table below shows the FY 2014 Judicial Branch estimate of the current percentage split and the amounts that would be reduced from these funds and deposited directly in the Judicial Branch Docket Fee Fund.

<u>Fund</u>	<u>Current Percentage</u>	<u>Current Estimate</u>
Access to Justice fund	4.37	\$800,763
Juvenile Detention Facilities Fund	2.42	443,443
Judicial Branch Education Fund	1.87	342,661
Crime Victims Assistance Fund	0.50	91,620
Protection from Abuse Fund	2.38	436,114
Judiciary Technology Fund	3.78	692,651
Dispute Resolution Fund	0.30	54,972
Kansas Juvenile Delinquency Prevention Trust Fund	1.10	201,565
Permanent Families Account in the Family & Children's Investment Fund	0.19	34,816
Trauma Fund	1.31	240,046
Judicial Council Fund	0.99	181,409
Child Exchange & Visitation Centers Fund	0.60	109,945
Judicial Branch Nonjudicial Salary Adjustment Fund	16.03	2,937,353
Judicial Branch Nonjudicial Salary Initiative Fund	15.85	2,904,370
State General Fund	<u>48.31</u>	<u>8,852,372</u>
Total	100.00	\$18,324,100

Any fiscal effect associated with SB 218 is not reflected in *The FY 2014 Governor's Budget Report*.

Sincerely,



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

cc: Mary Rinehart, Judiciary