

February 4, 2013

The Honorable Jeff King, Chairperson  
Senate Committee on Judiciary  
Statehouse, Room 341-E  
Topeka, Kansas 66612

Dear Senator King:

**SUBJECT:** Fiscal Note for SB 49 by Senate Committee on Natural Resources

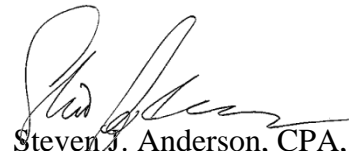
In accordance with KSA 75-3715a, the following fiscal note concerning SB 49 is respectfully submitted to your committee.

Under current law, it is illegal for a person to operate any water vessel while the alcohol concentration in the person's blood or breath is .08 or more at the time or within two hours after the person operated or attempted to operate the vessel. SB 49 would increase the time frame to within three hours after operating or attempting to operate a vessel.

The Office of Judicial Administration indicates that SB 49 has the potential for increasing the number of boating under the influence cases filed in district and appellate courts. This would increase the time spent by district court and appellate court judicial and non-judicial personnel in processing, researching, and hearing cases. Likewise, the additional cases could also result in the collection of added revenue from docket fees. However, it is not possible to predict the number of additional court cases that would arise or how complex and time-consuming they would be. Therefore, a precise fiscal effect cannot be determined. In any case, the fiscal effect would most likely be accommodated within the existing schedule of court cases and would not require additional resources.

The Kansas Department of Wildlife, Parks and Tourism states that the bill would have no fiscal effect on the agency. Any fiscal effect associated with SB 49 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  
Scott Schultz, Sentencing Commission  
Chris Tymeson, Wildlife, Parks & Tourism  
Larry Baer, League of Kansas Municipalities  
Melissa Wangemann, Kansas Association of Counties