

SESSION OF 2015

SUPPLEMENTAL NOTE ON SENATE BILL NO. 82

As Amended by Senate Committee on
Transportation

Brief*

SB 82, as amended, would establish the Seat Belt Safety Fund (Fund). The Fund would be administered by the Secretary of Transportation (Secretary). All expenditures of moneys in the Fund would be used for the promotion and education of occupant protection among children, including, but not limited to, programs in schools in Kansas. These expenditures would be made in accordance with appropriations acts. The Secretary would be authorized to accept all gifts, grants, donations, and bequests to the Fund. The Secretary would remit all moneys received to the State Treasurer, who would then deposit the entire amount to the credit of the Fund.

The bill also would appropriate \$480,000 to the Kansas Department of Transportation (KDOT) for the Fund for FY 2016. On July 1, 2015, or as soon as moneys are available, the Director of Accounts and Reports would be required to transfer \$480,000 from the State General Fund to the Fund.

Background

The bill was introduced by the Senate Committee on Transportation, at the request of AAA Kansas. In the Senate Committee, representatives of AAA Allied Group; Kansas Traffic Safety Resource Office; KDOT; Kansas Highway Patrol (KHP); Kansas Sheriffs Association; Kansas Action for Children; and Kansas Emergency Nurses Association, Kansas State Nurses Association, and Safe Kids Kansas

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>.

Coalition testified in support of the bill. Two students, from Pittsburg State University and St. John, stated they had participated in SAFE (Seatbelts Are For Everyone) programs in their schools and, because of the program, survived accidents by wearing their seatbelts. Testimony from the other conferees also included information on and support for the SAFE program. Written proponent testimony was provided by Children's Mercy Hospitals and Clinics, KHP, Kansas Association of Chiefs of Police, Kansas State Troopers Association, the Secretary of Transportation, and the Acting Secretary of Health and Environment. There was no neutral or opposition testimony.

The Senate Committee amended the bill to change the funding mechanism for the Fund from a percentage of fines, penalties, and forfeitures received by clerks of the district court for seat belt violations, to appropriations from the State General Fund.

A fiscal note is not available for the amended bill.

According to the fiscal note prepared by the Division of the Budget on the original bill, the Office of Judicial Administration estimates enactment of the original bill, which would have increased the fine for seat belt violations by adults from \$10 to \$60, would result in additional FY 2016 revenues of \$1,225,367, including \$244,727 to the State General Fund, from fines, penalties, and forfeitures received by clerks of the district courts. Of the additional revenue collected, \$981,149 would have been credited to the Fund. KDOT indicates enactment of the original bill would result in additional revenues and expenditures to the agency from the creation of the Fund. The League of Kansas Municipalities states if the original bill was enacted, cities with municipal courts would be imposing the higher fine amount and would retain \$20 rather than the current \$10 fine. The League states it does not know how many seat belt violations are prosecuted in Kansas cities each year. Any fiscal effect associated with the bill is not reflected in *The FY 2016 Governor's Budget Report*.