



# Kansas Bureau of Investigation

Kirk D. Thompson  
*Director*

Derek Schmidt  
*Attorney General*

**Testimony in Opposition of HB 2279**  
Before the House Standing Committee on Appropriations  
Kirk D. Thompson, Director  
Kansas Bureau of Investigation  
February 16, 2017

Chairman Waymaster and Members of the Committee,

My name is Kirk Thompson and I serve as the Director of the Kansas Bureau of Investigation (KBI). Thank you for the opportunity to present written testimony in opposition of House Bill 2279. Our opposition to this bill is reflective of our concern that its passage would have a negative fiscal impact on the KBI.

Since FY 1996, the KBI has received a percentage of driver's license reinstatement fees collected and remitted to the state treasurer and deposited into the forensic laboratory and materials fee fund created by K.S.A. 28-176. From the time of its enactment until FY 2015, the KBI received 20% of the driver's license reinstatement fees collected.

During the 2014 legislative session, HB 2303 was introduced by the Judicial Branch and the reinstatement fees for both test failure convictions and test refusal convictions were increased. Additionally, the fund's distribution percentages were adjusted in order to fund a salary increase for non-judicial personnel. Passage of this bill allocated 33% of the monies received in the driver's license reinstatement fund to the judicial branch nonjudicial salary adjustment fund while monies allocated to the forensic laboratory and materials fee fund were reduced from 20% to 12%. Other state agencies were similarly affected. As enacted, HB 2303 was to sunset on July 1, 2018.

The fee increase and percentage adjustments were expected to minimize fiscal impact to other state agencies. However, since FY 2015, the KBI has seen a drastic reduction in the monies credited to the forensic laboratory and materials fee fund. In fact, we have received in excess of \$100,000 less per year since passage of HB 2303.

Lines 8 and 24 on page 2 of the bill extend the sunset provision on the distribution of fees by one year. We anticipate that this change would cause the KBI to receive approximately \$270,000 less than anticipated in FY 2019.

The forensic laboratory and materials fee fund is used to pay for the continual replenishment of old instrumentation within the statewide KBI laboratory system and implementation of new instrumentation as technology advances. These funds would also be used to assist the KBI Forensic Laboratory in establishing additional services in the areas of Trace Evidence, Digital Evidence and Bloodstain Pattern Analysis.

Loss of this funding would negatively impact the KBI's ability to continue offering timely professional laboratory services to the Kansas criminal justice community for the purpose of promoting public safety and preventing crime in Kansas.

We have been in contact with a representative from the Office of Judicial Administration regarding our concerns. Aware of our concerns and similar concerns from other affected state agencies, it is our understanding that the proponents of the bill are considering possible amendments. If the Committee were to adopt an amendment that would ensure KBI receipts remain stable until July 1, 2018 and return to the 20% distribution thereafter, we would withdraw our opposition to HB 2279.

As the Committee contemplates the benefit of HB 2279 in ensuring stable funding for the Office of Judicial Administration, we request due consideration be given to the negative fiscal implications associated with passage of this bill.

Thank you for your time and consideration.

###