

To: Senate Ways and Means Committee
From: Eric B. Smith, Legal Counsel
Date: March 2, 2016
RE: Opposition to SB 403

I want to thank the Chair and Committee for allowing the League of Kansas Municipalities to testify in opposition to SB 403. Our member cities have expressed many concerns over this bill and I will attempt to explain how detrimental this bill would be to every municipal court in the state of Kansas.

The purpose behind SB 403 is not clear but the devastating impact to local public health and safety is very evident. Portions of this bill appear to be aimed at providing a solution to a problem that does not exist in the state of Kansas, while other portions seem aimed at taking money from local government budgets to punish them for ticketing those who violate city and state laws.

New Section 1 of the bill would require every city in the state of Kansas with a municipal court, to create a new process of accounting for money collected through the court system. Cities would be required to account for any money received from traffic citations separate from all other cases and then further separate that accounting into location of the violation based on New Section 2. For our member cities to comply with the accounting requirements, at a minimum will involve additional staff time and potentially new software purchases. SB 403 is an unfunded mandate that forces cities to spend additional local taxpayer money just so the state can take money away from the local public safety budget.

Our members do not consider their court systems to be a revenue generating source. Fines and costs are intended to deter illegal and unsafe behavior. The money that is paid into the court system helps fund the courts as well as a portion of the public safety responsibilities of all cities. The League is concerned that if SB 403 were to become law many miles of state and federal highways would no longer be patrolled because there would be no money available for cities to provide public safety on those highways. Is the state prepared to provide traffic control and emergency response to every mile of state and federal highway in the state?

Based on the above concerns and those of others you will hear from, the League of Kansas Municipalities respectfully requests the Committee to **not** pass out SB 403.