

February 3, 2023

The Honorable Fred Patton, Chairperson  
House Committee on Judiciary  
300 SW 10th Avenue, Room 582-N  
Topeka, Kansas 66612

Dear Representative Patton:

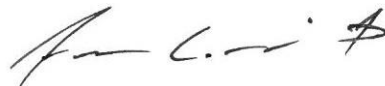
**SUBJECT:** Fiscal Note for HB 2216 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2216 is respectfully submitted to your committee.

Under the current law, people convicted for the first time of driving with a license that is canceled, suspended, or revoked are subject to five days of imprisonment and a fine of at least \$100. Individuals convicted a second time must serve five days of imprisonment before qualifying for parole. Individuals with a third or subsequent conviction must serve a minimum of 90 days of imprisonment and a fine of at least \$1,500 when the license is suspended or revoked for refusal of a breath or blood test or other specified reasons. In this case, the defendant is not eligible for probation or modification of sentence until 90 days has been served. HB 2216 would replace “imprisonment” with “days of confinement” or “hours of confinement.”

Since the provisions of the bill would pertain to only misdemeanor penalties, the Kansas Sentencing Commission indicates it would have no fiscal effect on prison bed space or the workload of the Commission. The Office of Judicial Administration indicates the enactment of HB 2216 would have a negligible fiscal effect on the Judicial Branch.

Sincerely,



Adam Proffitt  
Director of the Budget

cc: Vicki Jacobsen, Judiciary  
Scott Schultz, Sentencing Commission  
Randy Bowman, Department of Corrections