Session of 2015

SENATE BILL No. 82

By Committee on Transportation

1-27

AN ACT-concerning motor vehicles; relating to the use of safety belts; 1 establishing the seat belt safety fund; amending K.S.A. 2014 Supp. 8-2 2504, 12-4120 and 74-7336 and repealing the existing sections making 3 4 and concerning appropriations for the fiscal year ending June 30, 2016; authorizing certain transfers. 5 6 7 Be it enacted by the Legislature of the State of Kansas: New-Section 1. There is hereby established in the state treasury the 8 9 seat belt safety fund which shall be administered by the secretary of 10 transportation. All expenditures of moneys in the seat belt safety fund shall 11 be used for the purpose of promotion and education of occupant protection 12 among children, including, but not limited to, programs in schools in 13 Kansas and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to 14 vouchers approved by the secretary of transportation or by a person or 15 persons designated by the secretary of transportation. The secretary of 16 transportation may accept all gifts, grants, donations and bequests to the 17 18 fund. The secretary of transportation shall remit all moneys received under 19 this section to the state treasurer in accordance with the provisions of 20 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such 21 remittance, the state treasurer shall deposit the entire amount in the state 22 treasury to the credit of the seat belt safety fund. 23 Sec. 2. K.S.A. 2014 Supp. 8-2504 is hereby amended to read as-24 follows: 8-2504. (a) (1) Persons violating subsection (a)(1) of K.S.A. 8-25 2503(a), and amendments thereto, shall be fined \$5 and no court costs and, 26 from and after July 1, 2011, persons violating subsection (a)(1) of K.S.A. 27 8-2503, and amendments thereto, shall be fined \$10 and no court costs; 28 and 29 (2) persons violating subsection (a)(2) of K.S.A. 8-2503, and 30 amendments thereto, shall be fined \$60 and no court costs. 31 (b) No court shall report violation of this act to the department of 32 revenue. 33 (c) Evidence of failure of any person to use a safety belt shall not be 34 admissible in any action for the purpose of determining any aspect ofcomparative negligence or mitigation of damages. 35 (d) The provisions of this section shall be applicable and uniform 36

1 throughout the state and no city, county, subdivision or local authority-

2 shall enact or enforce any law, ordinance, rule, regulation or resolution in

conflict with, in addition to, or supplemental to, the provisions of this
 section.

5 Sec. 3. K.S.A. 2014 Supp. 12-4120 is hereby amended to read as-6 follows: 12-4120. (a) On and after July 1, 2012, the amount of \$250 from 7 each fine imposed for a violation of a city ordinance prohibiting the acts 8 prohibited by K.S.A. 8-1567 or 8-2,144 or K.S.A. 2014 Supp. 8-1025, and 9 amendments thereto, shall be remitted by the judge or elerk of the-10 municipal court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such-11 12 remittance, the state treasurer shall credit the entire amount to the-13 community corrections supervision fund established by K.S.A. 2014 Supp. 75-52,113, and amendments thereto. 14

15 (b) On and after July 1, 2013, the amount of \$2,500 from each fine 16 imposed for a violation of a city ordinance prohibiting the acts prohibited 17 by K.S.A. 2014 Supp. 21-6421, and amendments thereto, shall be remitted 18 by the judge or clerk of the municipal court to the state treasurer in-19 accordance with the provisions of K.S.A. 75-4215, and amendments-20 thereto. Upon receipt of each such remittance, the state treasurer shall-21 eredit the entire amount to the human trafficking victim assistance fund-22 established by K.S.A. 2014 Supp. 75-758, and amendments thereto.

(c) On and after July 1, 2015, the amount of \$40 from each fine imposed for a violation of a city ordinance requiring the use of safety belts
 for those individuals required by K.S.A. 8-2503(a)(1), and amendments thereto, shall be remitted by the judge or clerk of the municipal court to-

27 the state treasurer in accordance with the provisions of K.S.A. 75-4215,

- 28 and amendments thereto. Upon receipt of each such remittance, the state 29 treasurer shall credit the amount pursuant to K.S.A. 74-7336, and -
- *treasurer shall creat the amount pursuant to K.S.A. /4-/35 amendments thereto*.
- See. 4. K.S.A. 2014 Supp. 74-7336 is hereby amended to read as follows: 74-7336. (a) Of the remittances of fines, penalties and forfeitures
 received from clerks of the district court, at least monthly, the state treasurer shall credit:
- 35 (1) <u>10.94%10.22% to the crime victims compensation fund;</u>

(2) - 2.24% 2.09% to the crime victims assistance fund;

37 (3) 2.75%2.57% to the community alcoholism and intoxication 38 programs fund;

39 (4) 7.65%7.15% to the department of corrections alcohol and drug 40 abuse treatment fund;

- 41 (5) 0.16%0.15% to the boating fee fund;
- 42 (6) -0.11%0.10% to the children's advocacy center fund;
- 43 (7) 2.28%2.13% to the EMS revolving fund;

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publication in the statute book.

1 (8) -2.28%2.13% to the trauma fund; 2 (9) -2.28%2.13% to the traffic records enhancement fund: (10) 2.91%2.72% to the criminal justice information system line 3 4 fund; and 5 (11) 5.26% to the seat belt safety fund; and 6 (12) the remainder of the remittances to the state general fund. 7 (b) The county treasurer shall deposit grant moneys as provided in 8 subsection (a), from the crime victims assistance fund, to the credit of a special fund created for use by the county or district attorney in-9 establishing and maintaining programs to aid witnesses and victims of 10 11 erime-12 Sec. 5. K.S.A. 2014 Supp. 8-2504, 12-4120 and 74-7336 are hereby 13 repealed. 14 Sec. 2. 15 **DEPARTMENT OF TRANSPORTATION** 16 17 (a) There is appropriated for the above agency from the following 18 special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such 19 20 fund or funds, except that expenditures shall not exceed the following: 21 22 Seat belt safety fund......\$480,000 23 24 (b) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$480,000 from the 25 state general fund to the seat belt safety fund of the department of 26 transportation. 27 28 Sec. 6. 3. This act shall take effect and be in force from and after its

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