

HOUSE BILL No. 2131

AN ACT concerning the judicial council; relating to duties and mission; abolishing the judicial council fund; transferring all moneys and liabilities of such fund to the state general fund; eliminating the transfer of funds from docket fees to the judicial council fund; transferring annually unencumbered funds from the publications fee fund to the state general fund; amending K.S.A. 20-2203 and K.S.A. 2022 Supp. 20-362, 20-2207 and 20-2208 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2022 Supp. 20-362 is hereby amended to read as follows: 20-362. The clerk of the district court shall remit all revenues received from docket fees as follows:

(a) At least monthly to the county treasurer, for deposit in the county treasury and credit to the county general fund:

(1) A sum equal to \$10 for each docket fee paid pursuant to K.S.A. 60-2001 and 60-3005, and amendments thereto, during the preceding calendar month;

(2) a sum equal to \$10 for each \$46 or \$76 docket fee paid pursuant to K.S.A. 61-4001, or K.S.A. 61-2704 or 61-2709, and amendments thereto; and

(3) a sum equal to \$5 for each \$26 docket fee paid pursuant to K.S.A. 61-4001 or K.S.A. 61-2704, and amendments thereto, during the preceding calendar month.

(b) At least monthly to the board of trustees of the county law library fund, for deposit in the fund, a sum equal to the library fees paid during the preceding calendar month for cases filed in the county.

(c) At least monthly to the county treasurer, for deposit in the county treasury and credit to the prosecuting attorneys' training fund, a sum equal to \$2 for each docket fee paid pursuant to K.S.A. 28-172a, and amendments thereto, during the preceding calendar month for cases filed in the county and a sum equal to \$1 for each fee paid pursuant to K.S.A. 28-170(c), and amendments thereto, during the preceding calendar month for cases filed in the county.

(d) To the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, for deposit in the state treasury and credit to the law enforcement training center fund a sum equal to \$15 for each docket fee paid pursuant to K.S.A. 28-172a, and amendments thereto, during the preceding calendar month.

(e) To the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, for deposit in the state treasury a sum equal to the balance ~~which~~ *that* remains from all docket fees paid during the preceding calendar month after deduction of the amounts specified in subsections (a), (b), (c) and (d). ~~Of the balance remitted to the state treasury pursuant to this subsection, the state treasurer shall credit 0.99% to the judicial council fund.~~ During the fiscal year ending June 30, 2022, and each fiscal year thereafter, of the remainder, the state treasurer shall deposit and credit the first \$1,500,000 to the electronic filing and management fund created in K.S.A. 2022 Supp. 20-1a20, and amendments thereto. Of the balance ~~which~~ *that* remains after deduction of the amounts specified in this subsection, the state treasurer shall deposit and credit the remainder to the state general fund.

Sec. 2. K.S.A. 20-2203 is hereby amended to read as follows: 20-2203. It shall be the ~~continuous duty~~ *mission* of the judicial council to ~~survey and study the judicial branch of the state and recommend improvements in the administration of justice in Kansas and make recommendations for improvements therefor.~~ The judicial council shall receive and consider suggestions from judges, lawyers, public officials and citizens concerning suggested improvements to the administration of justice. The judicial council may undertake studies in any area of law for the purpose of improving the administration of justice and; may accept assignments from the legislature or the supreme court.

Sec. 3. K.S.A. 2022 Supp. 20-2207 is hereby amended to read as follows: 20-2207. (a) The judicial council may fix, charge and collect fees for sale and distribution of legal publications in order to recover direct and indirect costs incurred for preparation, publication and

distribution of legal publications. The judicial council may request and accept gifts, grants and donations from any person, firm, association or corporation or from the federal government or any agency thereof for preparation, publication or distribution of legal publications.

(b) The publications fee fund of the judicial council—~~which that~~ was established in the state treasury pursuant to appropriation acts is hereby continued in existence and shall be administered by the judicial council. Revenue from the ~~following sources~~ *fees collected under this section* shall be deposited in the state treasury and credited to ~~such fund:~~

~~(1) All moneys received by or for the judicial council from fees collected under this section; and~~

~~(2) the state general fund.~~ All moneys received as gifts, grants or donations for preparation, publication or distribution of legal publications *shall be deposited in the state treasury and credited to the publications fee fund.*

(c) Moneys deposited in the publications fee fund of the judicial council may be expended for operating expenditures related to preparation, publication and distribution of legal publications of the judicial council and for operating expenses that are not related to publication activities.

(d) All expenditures from the publications fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the judicial council or the chairperson's designee.

Sec. 4. K.S.A. 2022 Supp. 20-2208 is hereby amended to read as follows: 20-2208. ~~There is hereby established in the state treasury the judicial council fund. All expenditures from the judicial council fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the chairperson of the Kansas judicial council or by a person or persons designated by the chairperson of the Kansas judicial council.~~ *On July 1, 2023, the director of accounts and reports shall transfer all moneys in the judicial council fund to the state general fund. On July 1, 2023, all liabilities of the judicial council fund are hereby transferred to and imposed on the state general fund, and the judicial council fund is hereby abolished.*

Sec. 5. K.S.A. 20-2203 and K.S.A. 2022 Supp. 20-362, 20-2207 and 20-2208 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and was adopted by that body

HOUSE adopted
Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

SENATE adopted
Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.