

HOUSE BILL No. 2112

By Committee on Judiciary

1-23

1 AN ACT concerning courts; relating to county law libraries; amending
2 K.S.A. 20-3127 and repealing the existing section.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 20-3127 is hereby amended to read as follows: 20-
6 3127. (a) Except as provided further, all fees collected pursuant to K.S.A.
7 20-3126, and amendments thereto, shall be used to establish and maintain
8 the county law library. A board of trustees, appointed as provided in this
9 section, shall have the management and control of such library and shall
10 use the fees paid for registration, and all other sums, books, or library
11 materials or equipment donated or provided by law, for the purpose of
12 establishing and maintaining such library in the county courthouse or other
13 suitable place to be provided and maintained by the county commissioners
14 of such county, including acquiring and maintaining materials and
15 technology that may, at the discretion of the board of trustees, be loaned to
16 library users for use outside the premises of the library. The district judge
17 or district judges of the district court, members of the bar who have
18 registered and paid the fee provided for in K.S.A. 20-3126, and
19 amendments thereto, judges of all other courts in the county and county
20 officials shall have the right to use the library in accordance with the rules
21 and regulations established by the board of trustees. The board of trustees
22 shall develop guidelines to provide members of the public reasonable
23 access to the law library.

24 (b) The board of trustees of any law library established or governed
25 under this act, and amendments thereto, in Johnson and Sedgwick counties
26 shall consist of five members, two of which shall be judges of the district
27 court, appointed by a consensus of all judges of the district court in those
28 counties, and three of which shall be members of the Johnson or Sedgwick
29 county bar association, appointed by selection of the county bar
30 association pursuant to the Johnson or Sedgwick county bar association's
31 bylaws for two-year terms. The board of trustees of the law library in all
32 other counties shall consist of the district judge or judges of the district
33 court presiding in such county and not less than two attorneys who shall be
34 elected for two-year terms by a majority of the attorneys residing in the
35 county.

36 (c) The clerk of the district court of the county shall be treasurer of

1 the library and shall safely keep the funds of such library and disburse
2 them as the trustees shall direct. The clerk shall be liable on an official
3 bond for any failure, refusal or neglect in performing such duties.

4 (d) The board of county commissioners of any county designated an
5 urban area pursuant to K.S.A. 19-2654, and amendments thereto, wherein
6 an election has been held to come under the provisions of this act is hereby
7 authorized to appoint, by and with the advice and consent of the board of
8 trustees of the law library of such county, a librarian, who shall act as
9 custodian of the law library of such county and shall assist in the
10 performance of the clerk's duties as treasurer thereof, and such assistants
11 as are necessary to perform the duties of administering the law library. The
12 librarian and any assistants so appointed shall be employees of the county
13 under the supervision of the board of county commissioners, or the board's
14 designated official, with the advice and recommendations of the board of
15 trustees of the law library, and shall be subject to the personnel policies
16 and procedures established by the board of county commissioners for all
17 employees of the county. The librarian and any assistants shall receive as
18 compensation such salaries and benefits as established by the law library
19 board of trustees, subject to the approval of the board of county
20 commissioners, which shall be payable from the general fund of the
21 county, through the county payroll process, from funds budgeted and made
22 available by the law library board of trustees for that purpose through the
23 collection of fees or other funds authorized by this act.

24 (e) All attorneys registered under this act shall not be liable to pay
25 any occupational tax or city license fees levied under the laws of this state
26 by any municipality.

27 (f) *The board of trustees of a county law library established pursuant*
28 *to this section may authorize the chief judge of the judicial district to use*
29 *fees collected pursuant to K.S.A. 20-3126, and amendments thereto, for*
30 *the purpose of facilitating and enhancing functions of the district court of*
31 *the county.*

32 Sec. 2. K.S.A. 20-3127 is hereby repealed.

33 Sec. 3. This act shall take effect and be in force from and after its
34 publication in the statute book.