

As Amended by House Committee

Session of 2015

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.

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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) (1) Except as provided by subsection (f)(2), the board of trustees**  
28 **of a county law library established pursuant to this section may authorize**  
29 **the chief judge of the judicial district to use fees collected pursuant to**  
30 **K.S.A. 20-3126, and amendments thereto, for the purpose of facilitating**  
31 **and enhancing functions of the district court of the county. No judge shall**  
32 **participate in any decision made by the board of trustees of a county**  
33 **law library pursuant to this paragraph to authorize the chief judge of**  
34 **the judicial district to use fees collected pursuant to K.S.A. 20-3126,**  
35 **and amendments thereto.**

36 **(2) The provisions of subsection (f)(1) shall not apply to the board**  
37 **of trustees of any law library established in Johnson and Sedgwick**  
38 **counties.**

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 K.S.A. 20-3127 is hereby repealed.

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