

As Amended by House Committee

Session of 2018

SENATE BILL No. 261

By Senator Wilborn

12-29

1 AN ACT concerning **the judicial branch; relating to docket fees;**
2 **disposition of docket fees for the fiscal years ending June 30, 2020,**
3 **and June 30, 2021;** appraisal of real property before purchase or
4 disposal by the state or any agency thereof; ~~relating to~~ duties of the
5 judicial administrator and the director of property valuation; amending
6 K.S.A. 2017 Supp. **20-362 and 75-3043a** and repealing the existing
7 section sections.

8
9 *Be it enacted by the Legislature of the State of Kansas:*

10 **Section 1. K.S.A. 2017 Supp. 20-362 is hereby amended to read as**
11 **follows: 20-362. The clerk of the district court shall remit all revenues**
12 **received from docket fees as follows:**

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

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

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

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

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

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

35 **(d) To the state treasurer, in accordance with the provisions of**
36 **K.S.A. 75-4215, and amendments thereto, for deposit in the state**

1 treasury and credit to the law enforcement training center fund a sum
2 equal to \$15 for each docket fee paid pursuant to K.S.A. 28-172a, and
3 amendments thereto, during the preceding calendar month.

4 (e) To the state treasurer, in accordance with the provisions of
5 K.S.A. 75-4215, and amendments thereto, for deposit in the state
6 treasury a sum equal to the balance which remains from all docket
7 fees paid during the preceding calendar month after deduction of the
8 amounts specified in subsections (a), (b), (c) and (d). Of the balance
9 remitted to the state treasury pursuant to this subsection, the state
10 treasurer shall credit 0.99% to the judicial council fund. During the
11 fiscal years ending ~~June 30, 2015, June 30, 2016, June 30, 2017, June 30,~~
12 ~~2018, and June 30, 2019, June 30, 2020, and June 30, 2021,~~ of the
13 remainder, the state treasurer shall deposit and credit the first
14 \$3,100,000 to the electronic filing and management fund created in
15 K.S.A. 2017 Supp. ~~20-1a16~~ 20-1a20, and amendments thereto. During
16 the fiscal year ending June 30, ~~2020~~ 2022, and each fiscal year
17 thereafter, of the remainder, the state treasurer shall deposit and
18 credit the first ~~\$1,000,000~~ \$1,500,000 to the electronic filing and
19 management fund. Of the balance which remains after deduction of
20 the amounts specified in this subsection, the state treasurer shall
21 deposit and credit the remainder to the judicial branch docket fee
22 fund.

23 ~~Section 1.~~ Sec. 2. K.S.A. 2017 Supp. 75-3043a is hereby amended to
24 read as follows: 75-3043a. Except as otherwise specifically provided by
25 statute or rule and regulation, prior to the state of Kansas or any agency
26 thereof purchasing or disposing of any real property, by deed, mortgage,
27 gift or other means of conveyance, transfer or exchange, such property
28 shall be appraised by one disinterested appraiser, to be appointed by the
29 ~~judicial administrator~~ *director of property valuation*, to determine the
30 market-value appraisal of such property, ~~but~~. Nothing in this section shall
31 be construed as establishing or limiting the consideration for the
32 acquisition or disposition of any such property. If the value of the real
33 property is over \$200,000 as determined by the county assessment value of
34 such property, the ~~judicial administrator~~ *director of property valuation* may
35 appoint three disinterested appraisers to determine the market-value
36 appraisal of such real property. Any appraiser selected pursuant to this
37 section shall receive reasonable fees or compensation from legislative
38 appropriations made available therefor.

39 ~~Sec. 2.~~ 3. K.S.A. 2017 Supp. ~~20-362~~ and 75-3043a ~~is~~ are hereby
40 repealed.

41 ~~Sec. 3.~~ 4. This act shall take effect and be in force from and after its
42 publication in the Kansas register.