

## HOUSE BILL No. 2992

By Committee on Appropriations

2-19

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AN ACT concerning crimes and punishment; relating to fines for smoking in public places; amending K.S.A. 21-4012 and K.S.A. 2001 Supp. 74-7336 and repealing the existing sections.

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

Section 1. K.S.A. 21-4012 is hereby amended to read as follows: 21-4012. Any person found guilty of smoking in violation of ~~this act~~ K.S.A. 21-4009 through 21-4014, and amendments thereto, or 72-53,107, and amendments thereto, is guilty of a misdemeanor punishable by a fine of ~~not more than \$20~~ \$50 for each violation. Any person found guilty of failing to post signs as required by ~~this act~~ K.S.A. 21-4009 through 21-4014, and amendments thereto, is guilty of a misdemeanor punishable by a fine of not more than \$50. In addition, the department of health and environment, or local department of health, may institute an action in any court of competent jurisdiction to enjoin repeated violations of ~~this act~~ K.S.A. 21-4009 through 21-4014, and amendments thereto. *Thirty dollars of the fine for a person found guilty of smoking in violation of K.S.A. 21-4009 through 21-4014, and amendments thereto, and 72-53,107, and amendments thereto shall be credited to the state general fund.*

Sec. 2. K.S.A. 2001 Supp. 74-7336 is hereby amended to read as follows: 74-7336. (a) *Except as provided in K.S.A. 21-4012, and amendments thereto*, of the remittances of fines, penalties and forfeitures received from clerks of the district court, at least monthly, the state treasurer shall credit 7.99% to the crime victims compensation fund, 1.45% to the crime victims assistance fund, 2.01% to the community alcoholism and intoxication programs fund, 2.01% to the department of corrections alcohol and drug abuse treatment fund. The remainder of the remittances shall be credited to the state general fund.

(b) The county treasurer shall deposit grant moneys as provided in 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 establishing and maintaining programs to aid witnesses and victims of crime.

Sec. 3. K.S.A. 21-4012 and K.S.A. 2001 Supp. 74-7336 are hereby repealed.

1       Sec. 4. This act shall take effect and be in force from and after its  
2 publication in the statute book.  
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