

SESSION OF 2005

**SUPPLEMENTAL NOTE ON SUBSTITUTE  
FOR HOUSE BILL NO. 2113**

As Amended by House Committee on  
of the Whole

**Brief\***

Sub. for HB 2113 deals with municipal courts and the ability to collect fines and court costs as well as other expenses deemed debts owed to the court. Under provisions contained in the bill, these debts can be collected in accordance with procedures adopted by a municipal court and in accord with the Code of Civil Procedure for Limited Actions.

In addition, the debt amount will include the costs of collection, deemed an administrative fee, in criminal, traffic, and restitution cases. The courts would be allowed to enter into contracts for collection services.

The House Committee of the Whole amended the substitute bill to do the following:

- strike provisions whereby the defendant would pay the costs of collection in certain criminal and traffic cases. Instead the costs of collection would be deducted from the amount paid to the court either as a debt or restitution.
- strike provisions regarding collection contracts which could charge fees to be paid by the defendant.
- add the provision that all amounts minus the collection costs for restitution would be paid to the Kansas Crime Victims Reparation Board when the beneficiary of restitution has received recovery assistance from the Board until the Board's lien is paid in full.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

## **Background**

Conferees representing the City of Wichita appeared in favor of the bill. Additional support was offered on behalf of the League of Kansas Municipalities and the Unified Government of Kansas City, Kansas.

Concerns for the bill, as drafted, were expressed by a conferee from the Office of Judicial Administration.

The fiscal note on the original bill indicated that the enforcement section of the bill would have a fiscal effect on the Judiciary since enforcement of the Code of Civil Procedure for Limited Action occurs in district courts. The Judiciary is unable to estimate how many enforcement actions would occur, but these actions would increase workload primarily in the clerk of the district court offices where enforcement actions are initiated. The increase would be limited to judicial and non-judicial staff time.

The fiscal note on the substitute bill was not available when it passed out of the House Committee.