

**HOUSE BILL No. 2705**

By Committee on Appropriations

2-16

1 AN ACT concerning court fees and funds; amending K.S.A. 2015 Supp. 8-  
2 2107, 20-362, 20-3021, 21-6614, 22-2410, 23-2510, 28-170, 28-170a,  
3 28-172a, 28-177, 32-1049a, 38-2215, 38-2312, 38-2314, 59-104, 60-  
4 729, 60-2001, 60-2008, 60-2203a, 61-2704, 61-4001 and 65-409 and  
5 repealing the existing sections; reviving and amending K.S.A. 5-517  
6 and 20-166 and K.S.A. 2013 Supp. 20-1a04, 28-172b, 74-7325, 74-  
7 7334 and 75-7021 and repealing the revived sections; also repealing  
8 K.S.A. 5-517, as amended by section 5 of chapter 82 of the 2014  
9 Session Laws of Kansas, and 20-166, as amended by section 8 of  
10 chapter 82 of the 2014 Session Laws of Kansas; K.S.A. 2013 Supp. 20-  
11 1a04, as amended by section 6 of chapter 82 of the 2014 Session Laws  
12 of Kansas, 20-367, 21-6614d, 28-172b, as amended by section 28 of  
13 chapter 82 of the 2014 Session Laws of Kansas, 38-2312c, 60-2001b,  
14 74-7325, as amended by section 38 of chapter 82 of the 2014 Session  
15 Laws of Kansas, 74-7334, as amended by section 39 of chapter 82 of  
16 the 2014 Session Laws of Kansas, and 75-7021, as amended by section  
17 42 of chapter 82 of the 2014 Session Laws of Kansas; and K.S.A. 2015  
18 Supp. 20-1a16, 20-1a17, 21-6614f, 28-178 and 28-179.

19

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

21 New Section 1. The supreme court shall determine the amount of any  
22 docket fees to be charged and collected by the court system. The supreme  
23 court may prescribe additional fees and costs to be charged. Such fees and  
24 costs shall be reasonable and uniform throughout the state.

25 New Sec. 2. There is hereby created in the state treasury the  
26 electronic filing and management fund. All expenditures from the  
27 electronic filing and management fund shall be for purposes of creating,  
28 implementing and managing an electronic filing and centralized case  
29 management system for the state court system and shall be made in  
30 accordance with appropriation acts upon warrants of the director of  
31 accounts and reports issued pursuant to vouchers approved by the chief  
32 justice of the supreme court or by a person designated by the chief justice.

33 Sec. 3. K.S.A. 5-517 is hereby revived and amended to read as  
34 follows: 5-517. There is hereby created the dispute resolution fund in the  
35 state treasury which shall be administered by the judicial administrator. All  
36 expenditures from the dispute resolution fund shall be for the purpose of

1 carrying out the dispute resolution act. ~~In addition to funds generated by~~  
2 ~~remittances under K.S.A. 20-367, and amendments thereto,~~ Funds  
3 acquired through grants, training fees, registration and approval fees, and  
4 other public or private sources and designated for dispute resolution, shall  
5 be remitted to the dispute resolution fund for carrying out the dispute  
6 resolution act. All expenditures from the dispute resolution fund shall be  
7 made in accordance with appropriation acts upon warrants of the director  
8 of accounts and reports issued pursuant to vouchers approved by the  
9 judicial administrator or by the judicial administrator's designee.

10 Sec. 4. K.S.A. 2015 Supp. 8-2107 is hereby amended to read as  
11 follows: 8-2107. (a) (1) Notwithstanding any other provisions of the  
12 uniform act regulating traffic on highways, when a person is stopped by a  
13 police officer for any of the offenses described in subsection (d) and such  
14 person is not immediately taken before a judge of the district court, the  
15 police officer may require the person stopped, subject to the provisions of  
16 subsection (c), to deposit with the officer a valid Kansas driver's license in  
17 exchange for a receipt therefor issued by such police officer, the form of  
18 which shall be approved by the division of vehicles. Such receipt shall be  
19 recognized as a valid temporary Kansas driver's license authorizing the  
20 operation of a motor vehicle by the person stopped until the date of the  
21 hearing stated on the receipt. The driver's license and a written copy of the  
22 notice to appear shall be delivered by the police officer to the court having  
23 jurisdiction of the offense charged as soon as reasonably possible. If the  
24 hearing on such charge is continued for any reason, the judge may note on  
25 the receipt the date to which such hearing has been continued and such  
26 receipt shall be recognized as a valid temporary Kansas driver's license  
27 until such date, but in no event shall such receipt be recognized as a valid  
28 Kansas driver's license for a period longer than 30 days from the date set  
29 for the original hearing. Any person who has deposited a driver's license  
30 with a police officer under this subsection (a) shall have such license  
31 returned upon final determination of the charge against such person.

32 (2) In the event the person stopped deposits a valid Kansas driver's  
33 license with the police officer and fails to appear in the district court on the  
34 date set for appearance, or any continuance thereof, and in any event  
35 within 30 days from the date set for the original hearing, the court shall  
36 forward such person's driver's license to the division of vehicles with an  
37 appropriate explanation attached thereto. Upon receipt of such person's  
38 driver's license, the division shall suspend such person's privilege to  
39 operate a motor vehicle in this state until such person appears before the  
40 court having jurisdiction of the offense charged, the court makes a final  
41 disposition thereof and notice of such disposition is given by the court to  
42 the division. No new or replacement license shall be issued to any such  
43 person until such notice of disposition has been received by the division.

1 The provisions of K.S.A. 8-256, and amendments thereto, limiting the  
2 suspension of a license to one year, shall not apply to suspensions for  
3 failure to appear as provided in this subsection (a).

4 (b) No person shall apply for a replacement or new driver's license  
5 prior to the return of such person's original license which has been  
6 deposited in lieu of bond under this section. Violation of this subsection  
7 (b) is a class C misdemeanor. The division may suspend such person's  
8 driver's license for a period of not to exceed one year from the date the  
9 division receives notice of the disposition of the person's charge as  
10 provided in subsection (a).

11 (c) (1) In lieu of depositing a valid Kansas driver's license with the  
12 stopping police officer as provided in subsection (a), the person stopped  
13 may elect to give bond in the amount specified in subsection (d) for the  
14 offense for which the person was stopped. When such person does not  
15 have a valid Kansas driver's license, such person shall give such bond.  
16 Such bond shall be subject to forfeiture if the person stopped does not  
17 appear at the court and at the time specified in the written notice provided  
18 for in K.S.A. 8-2106, and amendments thereto.

19 (2) Such bond may be a cash bond, a bank card draft from any valid  
20 and unexpired credit card approved by the division of vehicles or  
21 superintendent of the Kansas highway patrol or a guaranteed arrest bond  
22 certificate issued by either a surety company authorized to transact such  
23 business in this state or an automobile club authorized to transact business  
24 in this state by the commissioner of insurance. If any of the approved bank  
25 card issuers redeem the bank card draft at a discounted rate, such discount  
26 shall be charged against the amount designated as the fine for the offense.  
27 If such bond is not forfeited, the amount of the bond less the discount rate  
28 shall be reimbursed to the person providing the bond by the use of a bank  
29 card draft. Any such guaranteed arrest bond certificate shall be signed by  
30 the person to whom it is issued and shall contain a printed statement that  
31 such surety company or automobile club guarantees the appearance of  
32 such person and will, in the event of failure of such person to appear in  
33 court at the time of trial, pay any fine or forfeiture imposed on such person  
34 not to exceed an amount to be stated on such certificate.

35 (3) Such cash bond shall be taken in the following manner: The  
36 police officer shall furnish the person stopped a stamped envelope  
37 addressed to the judge or clerk of the court named in the written notice to  
38 appear and the person shall place in such envelope the amount of the bond,  
39 and in the presence of the police officer shall deposit the same in the  
40 United States mail. After such cash payment, the person stopped need not  
41 sign the written notice to appear, but the police officer shall note the  
42 amount of the bond mailed on the notice to appear form and shall give a  
43 copy of such form to the person. If the person stopped furnishes the police

1 officer with a guaranteed arrest bond certificate or bank card draft, the  
 2 police officer shall give such person a receipt therefor and shall note the  
 3 amount of the bond on the notice to appear form and give a copy of such  
 4 form to the person stopped. Such person need not sign the written notice to  
 5 appear, and the police officer shall present the notice to appear and the  
 6 guaranteed arrest bond certificate or bank card draft to the court having  
 7 jurisdiction of the offense charged as soon as reasonably possible.

8 (d) The offenses for which appearance bonds may be required as  
 9 provided in subsection (c) and the amounts thereof shall be as follows:

10 On and after July 1, 1996:

11 Reckless driving.....	\$82
12 Driving when privilege is canceled, suspended or revoked.....	82
13 Failure to comply with lawful order of officer.....	57
14 Registration violation (registered for 12,000 pounds	
15 or less).....	52
16 Registration violation (registered for more than 12,000	
17 pounds).....	92
18 No driver's license for the class of vehicle operated or	
19 violation of restrictions.....	52
20 Spilling load on highway.....	52
21 Transporting open container of alcoholic liquor or cereal malt	
22 beverage accessible while vehicle in motion.....	223

23 (e) In the event of forfeiture of any bond under this section, \$75 of  
 24 the amount forfeited shall be regarded as a docket fee in any court having  
 25 jurisdiction over the violation of state law.

26 (f) None of the provisions of this section shall be construed to  
 27 conflict with the provisions of the nonresident violator compact.

28 (g) When a person is stopped by a police officer for any traffic  
 29 infraction and the person is a resident of a state which is not a member of  
 30 the nonresident violator compact, K.S.A. 8-1219 et seq., and amendments  
 31 thereto, or the person is licensed to drive under the laws of a foreign  
 32 country, the police officer may require a bond as provided for under  
 33 subsection (c). The bond shall be in the amount specified in the uniform  
 34 fine schedule in K.S.A. 8-2118(c), and amendments thereto, plus \$75  
 35 which shall be regarded as a docket fee in any court having jurisdiction  
 36 over the violation of state law.

37 (h) When a person is stopped by a police officer for failure to provide  
 38 proof of financial security pursuant to K.S.A. 40-3104, and amendments  
 39 thereto, and the person is a resident of another state or the person is  
 40 licensed to drive under the laws of a foreign country, the police officer  
 41 may require a bond as provided for under subsection (c). The bond shall be  
 42 in the amount of \$75, plus \$75 which shall be regarded as a docket fee in  
 43 any court having jurisdiction over the violation of state law.

1       ~~(i) Except as provided further, the docket fee established in this~~  
2 ~~section shall be the only fee collected or moneys in the nature of a fee~~  
3 ~~collected for the docket fee. Such fee shall only be established by an act of~~  
4 ~~the legislature and no other authority is established by law or otherwise to~~  
5 ~~collect a fee. On and after July 1, 2015, through June 30, 2017, the~~  
6 ~~supreme court may impose an additional charge, not to exceed \$22 per~~  
7 ~~docket fee, to fund the costs of non-judicial personnel.~~

8       Sec. 5. K.S.A. 2013 Supp. 20-1a04 is hereby revived and amended to  
9 read as follows: 20-1a04. The clerk of the supreme court shall remit all  
10 moneys received by or for such clerk for docket fees, and all amounts  
11 received for other purposes than those specified in K.S.A. 20-1a01, 20-  
12 1a02 or 20-1a03, and amendments thereto, unless by order of the supreme  
13 court such clerk is directed to make other disposition thereof to the state  
14 treasurer in accordance with the provisions of K.S.A. 75-4215, and  
15 amendments thereto. Upon receipt of each such remittance, the state  
16 treasurer shall deposit the entire amount in the state treasury to the credit  
17 of the ~~judicial branch nonjudicial salary initiative fund, a sum equal to~~  
18 ~~52.24% of the remittances of docket fees, to the judicial branch nonjudicial~~  
19 ~~salary adjustment fund, a sum equal to 6.72% of the remittance of docket~~  
20 ~~fees, and to the state general *judicial branch docket fee* fund, a sum equal~~  
21 ~~to 41.04% of the remittance of docket fees.~~

22       Sec. 6. K.S.A. 20-166 is hereby revived and amended to read as  
23 follows: 20-166. (a) There is hereby created in the state treasury the access  
24 to justice fund. Money credited to the fund ~~pursuant to K.S.A. 20-362, and~~  
25 ~~amendments thereto~~, shall be used solely for the purpose of making grants  
26 for operating expenses to programs, including dispute resolution programs,  
27 which provide access to the Kansas civil justice system for persons who  
28 would otherwise be unable to gain access to civil justice. Such programs  
29 may provide legal assistance to pro se litigants, legal counsel for civil and  
30 domestic matters or other legal or dispute resolution services provided the  
31 recipient of the assistance or counsel meets financial qualifications under  
32 guidelines established by the program in accordance with grant guidelines  
33 promulgated by the supreme court of Kansas.

34       (b) All expenditures from the access to justice fund shall be made in  
35 accordance with appropriations acts upon warrants of the director of  
36 accounts and reports issued pursuant to vouchers approved by the chief  
37 justice of the Kansas supreme court or by a person or persons designated  
38 by the chief justice.

39       (c) The chief justice may apply for, receive and accept money from  
40 any source for the purposes for which money in the access to justice fund  
41 may be expended. Upon receipt of each such remittance, the chief justice  
42 shall remit the entire amount to the state treasurer in accordance with the  
43 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of

1 each such remittance, the state treasurer shall deposit the entire amount in  
 2 the state treasury to the credit of the access to justice fund.

3 (d) Grants made to programs pursuant to this section shall be based  
 4 on the number of persons to be served and such other requirements as may  
 5 be established by the Kansas supreme court in guidelines established and  
 6 promulgated to regulate grants made under authority of this section. The  
 7 guidelines may include requirements for grant applications, organizational  
 8 characteristics, reporting and auditing criteria and such other standards for  
 9 eligibility and accountability as are deemed advisable by the supreme  
 10 court.

11 Sec. 7. K.S.A. 2015 Supp. 20-362 is hereby amended to read as  
 12 follows: 20-362. The clerk of the district court shall remit all revenues  
 13 received from docket fees as follows:

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

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

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

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

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

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

35 (d) To the state treasurer, in accordance with the provisions of K.S.A.  
 36 75-4215, and amendments thereto, for deposit in the state treasury and  
 37 credit to the law enforcement training center fund a sum equal to \$15 for  
 38 each docket fee paid pursuant to K.S.A. 28-172a, and amendments thereto,  
 39 during the preceding calendar month.

40 (e) To the state treasurer, in accordance with the provisions of K.S.A.  
 41 75-4215, and amendments thereto, for deposit in the state treasury a sum  
 42 equal to the balance which remains from all docket fees paid during the  
 43 preceding calendar month after deduction of the amounts specified in

1 subsections (a), (b), (c) and (d). *During the fiscal year ending June 30,*  
2 *2017, of the balance remitted to the state treasury pursuant to this*  
3 *subsection, the state treasurer shall credit 0.99% to the judicial council*  
4 *fund. During the fiscal years ending June 30, 2015, June 30, 2016, June*  
5 *30, 2017, June 30, 2018, and June 30, 2019, of the remainder, the state*  
6 *treasurer shall deposit and credit the first \$3,100,000 to the electronic*  
7 *filing and management fund created in K.S.A. 2015 Supp. 20-1a16 section*  
8 *2, and amendments thereto. During the fiscal year ending June 30, 2020,*  
9 *and each fiscal year thereafter, of the remainder, the state treasurer shall*  
10 *deposit and credit the first \$1,000,000 to the electronic filing and*  
11 *management fund. Of the balance which remains after deduction of the*  
12 *amounts specified in this subsection, the state treasurer shall deposit and*  
13 *credit the remainder to the judicial branch docket fee fund.*

14 Sec. 8. K.S.A. 2015 Supp. 20-3021 is hereby amended to read as  
15 follows: 20-3021. (a) (1) On and after July 1, ~~2014~~ 2016, any party filing  
16 an appeal with the court of appeals shall pay a fee in ~~the amount of \$145~~  
17 *an amount determined by the supreme court pursuant to section 1, and*  
18 *amendments thereto, to the clerk of the supreme court.*

19 (2) On and after July 1, ~~2014~~ 2016, any party filing an appeal with  
20 the supreme court shall pay a fee in ~~the amount of \$145~~ *an amount*  
21 *determined by the supreme court pursuant to section 1, and amendments*  
22 *thereto, to the clerk of the supreme court.*

23 (b) A poverty affidavit may be filed in lieu of a fee as established in  
24 K.S.A. 60-2001, and amendments thereto.

25 (c) ~~The fee shall be the only costs assessed in each case to services of~~  
26 ~~the clerk of the supreme court.~~ The clerk of the supreme court shall remit  
27 all revenues received from this section to the state treasurer, in accordance  
28 with the provisions of K.S.A. 75-4215, and amendments thereto, for  
29 deposit in the state treasury. The fee shall be disbursed in accordance with  
30 K.S.A. 20-362, and amendments thereto.

31 (d) ~~Except as provided further, the fee established in this section shall~~  
32 ~~be the only fee collected or moneys in the nature of a fee collected for the~~  
33 ~~docket fee. Such fee shall only be established by an act of the legislature~~  
34 ~~and no other authority is established by law or otherwise to collect a fee.~~  
35 ~~On and after July 1, 2015, through June 30, 2017, the supreme court may~~  
36 ~~impose an additional charge, not to exceed \$10 per fee, to fund the costs of~~  
37 ~~non-judicial personnel.~~

38 (e) The state of Kansas and all municipalities in this state, as defined  
39 in K.S.A. 12-105a, and amendments thereto, shall be exempt from paying  
40 such fee.

41 Sec. 9. K.S.A. 2015 Supp. 21-6614 is hereby amended to read as  
42 follows: 21-6614. (a) (1) Except as provided in subsections (b), (c), (d), (e)  
43 and (f), any person convicted in this state of a traffic infraction, cigarette

1 or tobacco infraction, misdemeanor or a class D or E felony, or for crimes  
2 committed on or after July 1, 1993, any nongrid felony or felony ranked in  
3 severity levels 6 through 10 of the nondrug grid, or for crimes committed  
4 on or after July 1, 1993, but prior to July 1, 2012, any felony ranked in  
5 severity level 4 of the drug grid, or for crimes committed on or after July  
6 1, 2012, any felony ranked in severity level 5 of the drug grid may petition  
7 the convicting court for the expungement of such conviction or related  
8 arrest records if three or more years have elapsed since the person: (A)  
9 Satisfied the sentence imposed; or (B) was discharged from probation, a  
10 community correctional services program, parole, postrelease supervision,  
11 conditional release or a suspended sentence.

12 (2) Except as provided in subsections (b), (c), (d), (e) and (f), any  
13 person who has fulfilled the terms of a diversion agreement may petition  
14 the district court for the expungement of such diversion agreement and  
15 related arrest records if three or more years have elapsed since the terms of  
16 the diversion agreement were fulfilled.

17 (b) Any person convicted of prostitution, as defined in K.S.A. 21-  
18 3512, prior to its repeal, convicted of a violation of K.S.A. 2015 Supp. 21-  
19 6419, and amendments thereto, or who entered into a diversion agreement  
20 in lieu of further criminal proceedings for such violation, may petition the  
21 convicting court for the expungement of such conviction or diversion  
22 agreement and related arrest records if:

23 (1) One or more years have elapsed since the person satisfied the  
24 sentence imposed or the terms of a diversion agreement or was discharged  
25 from probation, a community correctional services program, parole,  
26 postrelease supervision, conditional release or a suspended sentence; and

27 (2) such person can prove they were acting under coercion caused by  
28 the act of another. For purposes of this subsection, "coercion" means:  
29 Threats of harm or physical restraint against any person; a scheme, plan or  
30 pattern intended to cause a person to believe that failure to perform an act  
31 would result in bodily harm or physical restraint against any person; or the  
32 abuse or threatened abuse of the legal process.

33 (c) Except as provided in subsections (e) and (f), no person may  
34 petition for expungement until five or more years have elapsed since the  
35 person satisfied the sentence imposed or the terms of a diversion  
36 agreement or was discharged from probation, a community correctional  
37 services program, parole, postrelease supervision, conditional release or a  
38 suspended sentence, if such person was convicted of a class A, B or C  
39 felony, or for crimes committed on or after July 1, 1993, if convicted of an  
40 off-grid felony or any felony ranked in severity levels 1 through 5 of the  
41 nondrug grid, or for crimes committed on or after July 1, 1993, but prior to  
42 July 1, 2012, any felony ranked in severity levels 1 through 3 of the drug  
43 grid, or for crimes committed on or after July 1, 2012, any felony ranked



1 in severity levels 1 through 4 of the drug grid, or:

2 (1) Vehicular homicide, as defined in K.S.A. 21-3405, prior to its  
3 repeal, or K.S.A. 2015 Supp. 21-5406, and amendments thereto, or as  
4 prohibited by any law of another state which is in substantial conformity  
5 with that statute;

6 (2) driving while the privilege to operate a motor vehicle on the  
7 public highways of this state has been canceled, suspended or revoked, as  
8 prohibited by K.S.A. 8-262, and amendments thereto, or as prohibited by  
9 any law of another state which is in substantial conformity with that  
10 statute;

11 (3) perjury resulting from a violation of K.S.A. 8-261a, and  
12 amendments thereto, or resulting from the violation of a law of another  
13 state which is in substantial conformity with that statute;

14 (4) violating the provisions of K.S.A. 8-142 *Fifth*, and amendments  
15 thereto, relating to fraudulent applications or violating the provisions of a  
16 law of another state which is in substantial conformity with that statute;

17 (5) any crime punishable as a felony wherein a motor vehicle was  
18 used in the perpetration of such crime;

19 (6) failing to stop at the scene of an accident and perform the duties  
20 required by K.S.A. 8-1602, 8-1603, prior to its repeal, or 8-1604, and  
21 amendments thereto, or required by a law of another state which is in  
22 substantial conformity with those statutes;

23 (7) violating the provisions of K.S.A. 40-3104, and amendments  
24 thereto, relating to motor vehicle liability insurance coverage; or

25 (8) a violation of K.S.A. 21-3405b, prior to its repeal.

26 (d) (1) No person may petition for expungement until five or more  
27 years have elapsed since the person satisfied the sentence imposed or the  
28 terms of a diversion agreement or was discharged from probation, a  
29 community correctional services program, parole, postrelease supervision,  
30 conditional release or a suspended sentence, if such person was convicted  
31 of a first violation of K.S.A. 8-1567 or K.S.A. 2015 Supp. 8-1025, and  
32 amendments thereto, including any diversion for such violation.

33 (2) No person may petition for expungement until 10 or more years  
34 have elapsed since the person satisfied the sentence imposed or was  
35 discharged from probation, a community correctional services program,  
36 parole, postrelease supervision, conditional release or a suspended  
37 sentence, if such person was convicted of a second or subsequent violation  
38 of K.S.A. 8-1567 or K.S.A. 2015 Supp. 8-1025, and amendments thereto.

39 (e) There shall be no expungement of convictions for the following  
40 offenses or of convictions for an attempt to commit any of the following  
41 offenses:

42 (1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A.  
43 2015 Supp. 21-5503, and amendments thereto;

1 (2) indecent liberties with a child or aggravated indecent liberties  
2 with a child, as defined in K.S.A. 21-3503 or 21-3504, prior to their repeal,  
3 or K.S.A. 2015 Supp. 21-5506, and amendments thereto;

4 (3) criminal sodomy, as defined in K.S.A. 21-3505(a)(2) or (a)(3),  
5 prior to its repeal, or K.S.A. 2015 Supp. 21-5504(a)(3) or (a)(4), and  
6 amendments thereto;

7 (4) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior  
8 to its repeal, or K.S.A. 2015 Supp. 21-5504, and amendments thereto;

9 (5) indecent solicitation of a child or aggravated indecent solicitation  
10 of a child, as defined in K.S.A. 21-3510 or 21-3511, prior to their repeal,  
11 or K.S.A. 2015 Supp. 21-5508, and amendments thereto;

12 (6) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior  
13 to its repeal, or K.S.A. 2015 Supp. 21-5510, and amendments thereto;

14 (7) aggravated incest, as defined in K.S.A. 21-3603, prior to its  
15 repeal, or K.S.A. 2015 Supp. 21-5604, and amendments thereto;

16 (8) endangering a child or aggravated endangering a child, as defined  
17 in K.S.A. 21-3608 or 21-3608a, prior to their repeal, or K.S.A. 2015 Supp.  
18 21-5601, and amendments thereto;

19 (9) abuse of a child, as defined in K.S.A. 21-3609, prior to its repeal,  
20 or K.S.A. 2015 Supp. 21-5602, and amendments thereto;

21 (10) capital murder, as defined in K.S.A. 21-3439, prior to its repeal,  
22 or K.S.A. 2015 Supp. 21-5401, and amendments thereto;

23 (11) murder in the first degree, as defined in K.S.A. 21-3401, prior to  
24 its repeal, or K.S.A. 2015 Supp. 21-5402, and amendments thereto;

25 (12) murder in the second degree, as defined in K.S.A. 21-3402, prior  
26 to its repeal, or K.S.A. 2015 Supp. 21-5403, and amendments thereto;

27 (13) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to  
28 its repeal, or K.S.A. 2015 Supp. 21-5404, and amendments thereto;

29 (14) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to  
30 its repeal, or K.S.A. 2015 Supp. 21-5405, and amendments thereto;

31 (15) sexual battery, as defined in K.S.A. 21-3517, prior to its repeal,  
32 or K.S.A. 2015 Supp. 21-5505, and amendments thereto, when the victim  
33 was less than 18 years of age at the time the crime was committed;

34 (16) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to  
35 its repeal, or K.S.A. 2015 Supp. 21-5505, and amendments thereto;

36 (17) a violation of K.S.A. 8-2,144, and amendments thereto,  
37 including any diversion for such violation; or

38 (18) any conviction for any offense in effect at any time prior to July  
39 1, 2011, that is comparable to any offense as provided in this subsection.

40 (f) Notwithstanding any other law to the contrary, for any offender  
41 who is required to register as provided in the Kansas offender registration  
42 act, K.S.A. 22-4901 et seq., and amendments thereto, there shall be no  
43 expungement of any conviction or any part of the offender's criminal

1 record while the offender is required to register as provided in the Kansas  
2 offender registration act.

3 (g) (1) When a petition for expungement is filed, the court shall set a  
4 date for a hearing of such petition and shall cause notice of such hearing to  
5 be given to the prosecutor and the arresting law enforcement agency. The  
6 petition shall state the:

7 (A) Defendant's full name;

8 (B) full name of the defendant at the time of arrest, conviction or  
9 diversion, if different than the defendant's current name;

10 (C) defendant's sex, race and date of birth;

11 (D) crime for which the defendant was arrested, convicted or  
12 diverted;

13 (E) date of the defendant's arrest, conviction or diversion; and

14 (F) identity of the convicting court, arresting law enforcement  
15 authority or diverting authority.

16 (2) Except as otherwise provided by law, a petition for expungement  
17 shall be accompanied by a docket fee ~~in the amount of \$176~~ *an amount*  
18 *determined by the supreme court pursuant to section 1, and amendments*  
19 *thereto. On and after July 1, 2013, through July 1, 2015, the supreme court*  
20 *may impose a charge, not to exceed \$19 per case, to fund the costs of non-*  
21 *judicial personnel. The charge established in this section shall be the only*  
22 *fee collected or moneys in the nature of a fee collected for the case. Such*  
23 *charge shall only be established by an act of the legislature and no other*  
24 *authority is established by law or otherwise to collect a fee.*

25 (3) All petitions for expungement shall be docketed in the original  
26 criminal action. Any person who may have relevant information about the  
27 petitioner may testify at the hearing. The court may inquire into the  
28 background of the petitioner and shall have access to any reports or  
29 records relating to the petitioner that are on file with the secretary of  
30 corrections or the prisoner review board.

31 (h) At the hearing on the petition, the court shall order the petitioner's  
32 arrest record, conviction or diversion expunged if the court finds that:

33 (1) The petitioner has not been convicted of a felony in the past two  
34 years and no proceeding involving any such crime is presently pending or  
35 being instituted against the petitioner;

36 (2) the circumstances and behavior of the petitioner warrant the  
37 expungement; and

38 (3) the expungement is consistent with the public welfare.

39 (i) When the court has ordered an arrest record, conviction or  
40 diversion expunged, the order of expungement shall state the information  
41 required to be contained in the petition. The clerk of the court shall send a  
42 certified copy of the order of expungement to the Kansas bureau of  
43 investigation which shall notify the federal bureau of investigation, the

1 secretary of corrections and any other criminal justice agency which may  
2 have a record of the arrest, conviction or diversion. After the order of  
3 expungement is entered, the petitioner shall be treated as not having been  
4 arrested, convicted or diverted of the crime, except that:

5 (1) Upon conviction for any subsequent crime, the conviction that  
6 was expunged may be considered as a prior conviction in determining the  
7 sentence to be imposed;

8 (2) the petitioner shall disclose that the arrest, conviction or diversion  
9 occurred if asked about previous arrests, convictions or diversions:

10 (A) In any application for licensure as a private detective, private  
11 detective agency, certification as a firearms trainer pursuant to K.S.A.  
12 2015 Supp. 75-7b21, and amendments thereto, or employment as a  
13 detective with a private detective agency, as defined by K.S.A. 75-7b01,  
14 and amendments thereto; as security personnel with a private patrol  
15 operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with  
16 an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of  
17 the Kansas department for aging and disability services;

18 (B) in any application for admission, or for an order of reinstatement,  
19 to the practice of law in this state;

20 (C) to aid in determining the petitioner's qualifications for  
21 employment with the Kansas lottery or for work in sensitive areas within  
22 the Kansas lottery as deemed appropriate by the executive director of the  
23 Kansas lottery;

24 (D) to aid in determining the petitioner's qualifications for executive  
25 director of the Kansas racing and gaming commission, for employment  
26 with the commission or for work in sensitive areas in parimutuel racing as  
27 deemed appropriate by the executive director of the commission, or to aid  
28 in determining qualifications for licensure or renewal of licensure by the  
29 commission;

30 (E) to aid in determining the petitioner's qualifications for the  
31 following under the Kansas expanded lottery act: (i) Lottery gaming  
32 facility manager or prospective manager, racetrack gaming facility  
33 manager or prospective manager, licensee or certificate holder; or (ii) an  
34 officer, director, employee, owner, agent or contractor thereof;

35 (F) upon application for a commercial driver's license under K.S.A.  
36 8-2,125 through 8-2,142, and amendments thereto;

37 (G) to aid in determining the petitioner's qualifications to be an  
38 employee of the state gaming agency;

39 (H) to aid in determining the petitioner's qualifications to be an  
40 employee of a tribal gaming commission or to hold a license issued  
41 pursuant to a tribal-state gaming compact;

42 (I) in any application for registration as a broker-dealer, agent,  
43 investment adviser or investment adviser representative all as defined in

1 K.S.A. 17-12a102, and amendments thereto;

2 (J) in any application for employment as a law enforcement officer as  
3 defined in K.S.A. 22-2202 or 74-5602, and amendments thereto; or

4 (K) for applications received on and after July 1, 2006, to aid in  
5 determining the petitioner's qualifications for a license to carry a concealed  
6 weapon pursuant to the personal and family protection act, K.S.A. 2015  
7 Supp. 75-7c01 et seq., and amendments thereto;

8 (3) the court, in the order of expungement, may specify other  
9 circumstances under which the conviction is to be disclosed;

10 (4) the conviction may be disclosed in a subsequent prosecution for  
11 an offense which requires as an element of such offense a prior conviction  
12 of the type expunged; and

13 (5) upon commitment to the custody of the secretary of corrections,  
14 any previously expunged record in the possession of the secretary of  
15 corrections may be reinstated and the expungement disregarded, and the  
16 record continued for the purpose of the new commitment.

17 (j) Whenever a person is convicted of a crime, pleads guilty and pays  
18 a fine for a crime, is placed on parole, postrelease supervision or  
19 probation, is assigned to a community correctional services program, is  
20 granted a suspended sentence or is released on conditional release, the  
21 person shall be informed of the ability to expunge the arrest records or  
22 conviction. Whenever a person enters into a diversion agreement, the  
23 person shall be informed of the ability to expunge the diversion.

24 (k) (1) Subject to the disclosures required pursuant to subsection (i),  
25 in any application for employment, license or other civil right or privilege,  
26 or any appearance as a witness, a person whose arrest records, conviction  
27 or diversion of a crime has been expunged under this statute may state that  
28 such person has never been arrested, convicted or diverted of such crime.

29 (2) Notwithstanding the provisions of subsection (k)(1), and except as  
30 provided in K.S.A. 2015 Supp. 21-6304(a)(3)(A), and amendments  
31 thereto, the expungement of a prior felony conviction does not relieve the  
32 individual of complying with any state or federal law relating to the use,  
33 shipment, transportation, receipt or possession of firearms by persons  
34 previously convicted of a felony.

35 (l) Whenever the record of any arrest, conviction or diversion has  
36 been expunged under the provisions of this section or under the provisions  
37 of any other existing or former statute, the custodian of the records of  
38 arrest, conviction, diversion and incarceration relating to that crime shall  
39 not disclose the existence of such records, except when requested by:

40 (1) The person whose record was expunged;

41 (2) a private detective agency or a private patrol operator, and the  
42 request is accompanied by a statement that the request is being made in  
43 conjunction with an application for employment with such agency or

1 operator by the person whose record has been expunged;

2 (3) a court, upon a showing of a subsequent conviction of the person  
3 whose record has been expunged;

4 (4) the secretary for aging and disability services, or a designee of the  
5 secretary, for the purpose of obtaining information relating to employment  
6 in an institution, as defined in K.S.A. 76-12a01, and amendments thereto,  
7 of the Kansas department for aging and disability services of any person  
8 whose record has been expunged;

9 (5) a person entitled to such information pursuant to the terms of the  
10 expungement order;

11 (6) a prosecutor, and such request is accompanied by a statement that  
12 the request is being made in conjunction with a prosecution of an offense  
13 that requires a prior conviction as one of the elements of such offense;

14 (7) the supreme court, the clerk or disciplinary administrator thereof,  
15 the state board for admission of attorneys or the state board for discipline  
16 of attorneys, and the request is accompanied by a statement that the  
17 request is being made in conjunction with an application for admission, or  
18 for an order of reinstatement, to the practice of law in this state by the  
19 person whose record has been expunged;

20 (8) the Kansas lottery, and the request is accompanied by a statement  
21 that the request is being made to aid in determining qualifications for  
22 employment with the Kansas lottery or for work in sensitive areas within  
23 the Kansas lottery as deemed appropriate by the executive director of the  
24 Kansas lottery;

25 (9) the governor or the Kansas racing and gaming commission, or a  
26 designee of the commission, and the request is accompanied by a  
27 statement that the request is being made to aid in determining  
28 qualifications for executive director of the commission, for employment  
29 with the commission, for work in sensitive areas in parimutuel racing as  
30 deemed appropriate by the executive director of the commission or for  
31 licensure, renewal of licensure or continued licensure by the commission;

32 (10) the Kansas racing and gaming commission, or a designee of the  
33 commission, and the request is accompanied by a statement that the  
34 request is being made to aid in determining qualifications of the following  
35 under the Kansas expanded lottery act: (A) Lottery gaming facility  
36 managers and prospective managers, racetrack gaming facility managers  
37 and prospective managers, licensees and certificate holders; and (B) their  
38 officers, directors, employees, owners, agents and contractors;

39 (11) the Kansas sentencing commission;

40 (12) the state gaming agency, and the request is accompanied by a  
41 statement that the request is being made to aid in determining  
42 qualifications: (A) To be an employee of the state gaming agency; or (B)  
43 to be an employee of a tribal gaming commission or to hold a license

1 issued pursuant to a tribal-gaming compact;

2 (13) the Kansas securities commissioner or a designee of the  
3 commissioner, and the request is accompanied by a statement that the  
4 request is being made in conjunction with an application for registration as  
5 a broker-dealer, agent, investment adviser or investment adviser  
6 representative by such agency and the application was submitted by the  
7 person whose record has been expunged;

8 (14) the Kansas commission on peace officers' standards and training  
9 and the request is accompanied by a statement that the request is being  
10 made to aid in determining certification eligibility as a law enforcement  
11 officer pursuant to K.S.A. 74-5601 et seq., and amendments thereto;

12 (15) a law enforcement agency and the request is accompanied by a  
13 statement that the request is being made to aid in determining eligibility  
14 for employment as a law enforcement officer as defined by K.S.A. 22-  
15 2202, and amendments thereto;

16 (16) the attorney general and the request is accompanied by a  
17 statement that the request is being made to aid in determining  
18 qualifications for a license to carry a concealed weapon pursuant to the  
19 personal and family protection act; or

20 (17) the Kansas bureau of investigation for the purposes of:

21 (A) Completing a person's criminal history record information within  
22 the central repository, in accordance with K.S.A. 22-4701 et seq., and  
23 amendments thereto; or

24 (B) providing information or documentation to the federal bureau of  
25 investigation, in connection with the national instant criminal background  
26 check system, to determine a person's qualification to possess a firearm.

27 (m) The provisions of subsection (l)(17) shall apply to records  
28 created prior to, on and after July 1, 2011.

29 Sec. 10. K.S.A. 2015 Supp. 22-2410 is hereby amended to read as  
30 follows: 22-2410. (a) Any person who has been arrested in this state may  
31 petition the district court for the expungement of such arrest record.

32 (b) When a petition for expungement is filed, the court shall set a date  
33 for hearing on such petition and shall cause notice of such hearing to be  
34 given to the prosecuting attorney and the arresting law enforcement  
35 agency. When a petition for expungement is filed, the official court file  
36 shall be separated from the other records of the court, and shall be  
37 disclosed only to a judge of the court and members of the staff of the court  
38 designated by a judge of the district court, the prosecuting attorney, the  
39 arresting law enforcement agency, or any other person when authorized by  
40 a court order, subject to any conditions imposed by the order. Except as  
41 otherwise provided by law, a petition for expungement shall be  
42 accompanied by a docket fee in ~~the amount of \$176~~ *an amount determined*  
43 *by the supreme court pursuant to section 1, and amendments thereto.*

1 ~~Except as provided further, the docket fee established in this section shall~~  
2 ~~be the only fee collected or moneys in the nature of a fee collected for the~~  
3 ~~docket fee. Such fee shall only be established by an act of the legislature~~  
4 ~~and no other authority is established by law or otherwise to collect a fee.~~  
5 ~~On and after July 1, 2015, through June 30, 2017, the supreme court may~~  
6 ~~impose an additional charge, not to exceed \$19 per docket fee, to fund the~~  
7 ~~costs of non-judicial personnel. The petition shall state:~~

- 8 (1) The petitioner's full name;
- 9 (2) the full name of the petitioner at the time of arrest, if different  
10 than the petitioner's current name;
- 11 (3) the petitioner's sex, race and date of birth;
- 12 (4) the crime for which the petitioner was arrested;
- 13 (5) the date of the petitioner's arrest; and
- 14 (6) the identity of the arresting law enforcement agency.

15 No surcharge or fee shall be imposed to any person filing a petition  
16 pursuant to this section, who was arrested as a result of being a victim of  
17 identity theft under K.S.A. 21-4018, prior to its repeal, or K.S.A. 2015  
18 Supp. 21-6107(a), and amendments thereto, or who has had criminal  
19 charges dismissed because a court has found that there was no probable  
20 cause for the arrest, the petitioner was found not guilty in court  
21 proceedings or the charges have been dismissed. Any person who may  
22 have relevant information about the petitioner may testify at the hearing.  
23 The court may inquire into the background of the petitioner.

24 (c) At the hearing on a petition for expungement, the court shall order  
25 the arrest record and subsequent court proceedings, if any, expunged upon  
26 finding:

- 27 (1) The arrest occurred because of mistaken identity;
- 28 (2) a court has found that there was no probable cause for the arrest;
- 29 (3) the petitioner was found not guilty in court proceedings; or
- 30 (4) the expungement would be in the best interests of justice and: (A)  
31 Charges have been dismissed; or (B) no charges have been or are likely to  
32 be filed.

33 (d) When the court has ordered expungement of an arrest record and  
34 subsequent court proceedings, if any, the order shall state the information  
35 required to be stated in the petition and shall state the grounds for  
36 expungement under subsection (c). The clerk of the court shall send a  
37 certified copy of the order to the Kansas bureau of investigation which  
38 shall notify the federal bureau of investigation, the secretary of corrections  
39 and any other criminal justice agency which may have a record of the  
40 arrest. If an order of expungement is entered, the petitioner shall be treated  
41 as not having been arrested.

42 (e) If the ground for expungement is as provided in subsection (c)(4),  
43 the court shall determine whether, in the interests of public welfare, the



1 records should be available for any of the following purposes:

2 (1) In any application for employment as a detective with a private  
3 detective agency, as defined in K.S.A. 75-7b01, and amendments thereto;  
4 as security personnel with a private patrol operator, as defined by K.S.A.  
5 75-7b01, and amendments thereto; or with an institution, as defined in  
6 K.S.A. 76-12a01, and amendments thereto, of the Kansas department for  
7 aging and disability services;

8 (2) in any application for admission, or for an order of reinstatement,  
9 to the practice of law in this state;

10 (3) to aid in determining the petitioner's qualifications for  
11 employment with the Kansas lottery or for work in sensitive areas within  
12 the Kansas lottery as deemed appropriate by the executive director of the  
13 Kansas lottery;

14 (4) to aid in determining the petitioner's qualifications for executive  
15 director of the Kansas racing commission, for employment with the  
16 commission or for work in sensitive areas in parimutuel racing as deemed  
17 appropriate by the executive director of the commission, or to aid in  
18 determining qualifications for licensure or renewal of licensure by the  
19 commission;

20 (5) in any application for a commercial driver's license under K.S.A.  
21 8-2,125 through 8-2,142, and amendments thereto;

22 (6) to aid in determining the petitioner's qualifications to be an  
23 employee of the state gaming agency;

24 (7) to aid in determining the petitioner's qualifications to be an  
25 employee of a tribal gaming commission or to hold a license issued  
26 pursuant to a tribal-state gaming compact; or

27 (8) in any other circumstances which the court deems appropriate.

28 (f) The court shall make all expunged records and related information  
29 in such court's possession, created prior to, on and after July 1, 2011,  
30 available to the Kansas bureau of investigation for the purposes of:

31 (1) Completing a person's criminal history record information within  
32 the central repository in accordance with K.S.A. 22-4701 et seq., and  
33 amendments thereto; or

34 (2) providing information or documentation to the federal bureau of  
35 investigation, in connection with the national instant criminal background  
36 check system, to determine a person's qualification to possess a firearm.

37 (g) Subject to any disclosures required under subsection (e), in any  
38 application for employment, license or other civil right or privilege, or any  
39 appearance as a witness, a person whose arrest records have been  
40 expunged as provided in this section may state that such person has never  
41 been arrested.

42 (h) Whenever a petitioner's arrest records have been expunged as  
43 provided in this section, the custodian of the records of arrest,

1 incarceration due to arrest or court proceedings related to the arrest, shall  
2 not disclose the arrest or any information related to the arrest, except as  
3 directed by the order of expungement or when requested by the person  
4 whose arrest record was expunged.

5 (i) The docket fee collected at the time the petition for expungement  
6 is filed shall be disbursed in accordance with K.S.A. 20-362, and  
7 amendments thereto.

8 Sec. 11. K.S.A. 2015 Supp. 23-2510 is hereby amended to read as  
9 follows: 23-2510. (a) The judge or clerk of the district court shall collect  
10 from the applicant for a marriage license a fee of \$59.

11 (b) The clerk of the court shall remit all fees prescribed by this  
12 section to the state treasurer in accordance with the provisions of K.S.A.  
13 75-4215, and amendments thereto. Upon receipt of each such remittance,  
14 the state treasurer shall deposit the entire amount in the state treasury. Of  
15 each remittance, the state treasurer shall credit 38.98% to the protection  
16 from abuse fund, 15.19% to the family and children trust account of the  
17 family and children investment fund created by K.S.A. 38-1808, and  
18 amendments thereto, 16.95% to the crime victims assistance fund created  
19 by K.S.A. 74-7334, and amendments thereto, 15.25% to the judicial  
20 branch ~~nonjudicial salary adjustment~~ *docket fee* fund created by K.S.A.  
21 2015 Supp. ~~20-1a15~~ 28-177, and amendments thereto, and the remainder  
22 to the state general fund.

23 ~~(c) Except as provided further, the marriage license fee established in~~  
24 ~~this section shall be the only fee collected or moneys in the nature of a fee~~  
25 ~~collected for a marriage license. Such fee shall only be established by an~~  
26 ~~act of the legislature and no other authority is established by law or~~  
27 ~~otherwise to collect a fee. On and after July 1, 2015, through June 30,~~  
28 ~~2017, the supreme court may impose an additional charge, not to exceed~~  
29 ~~\$26.50 per marriage license fee, to fund the costs of non-judicial~~  
30 ~~personnel.~~

31 Sec. 12. K.S.A. 2015 Supp. 28-170 is hereby amended to read as  
32 follows: 28-170. (a) The docket fee ~~prescribed by K.S.A. 60-2001, and~~  
33 ~~amendments thereto, in an amount determined by the supreme court~~  
34 ~~pursuant to section 1, and amendments thereto, and the fees for service of~~  
35 ~~process, shall be the only costs assessed for services of the clerk of the~~  
36 ~~district court and the sheriff in any case filed under chapter 60 or chapter~~  
37 ~~61 of the Kansas Statutes Annotated, and amendments thereto, except that~~  
38 ~~no fee shall be charged for an action filed under K.S.A. 60-3101 et seq.,~~  
39 ~~and under K.S.A. 60-31a01 et seq., and amendments thereto. For services~~  
40 ~~in other matters in which no other fee is prescribed by statute, the~~  
41 ~~following fees shall, the supreme court may determine the amount of any~~  
42 ~~fees pursuant to section 1, and amendments thereto, to be charged and~~  
43 ~~collected by the clerk. Only one fee shall be charged for each bond, lien or~~

1 judgment:

- 2 1. ~~For filing, entering and releasing a bond, mechanic's lien, notice of~~
- 3 ~~intent to perform, personal property tax judgment or any judgment on~~
- 4 ~~which execution process cannot be issued ..... \$14~~
- 5 2. ~~For filing, entering and releasing a judgment of a court of this state on~~
- 6 ~~which execution or other process can be issued ..... \$24~~
- 7 3. ~~For a certificate, or for copying or certifying any paper or writ, such fee-~~
- 8 ~~as shall be prescribed by the district court.~~

9 (b) The fees for entries, certificates and other papers required in  
 10 naturalization cases shall be those prescribed by the federal government  
 11 and, when collected, shall be disbursed as prescribed by the federal  
 12 government. The clerk of the court shall remit to the state treasurer at least  
 13 monthly all moneys received from fees prescribed by subsection (a) or (b)  
 14 or received for any services performed which may be required by law. The  
 15 state treasurer shall deposit the remittance in the state treasury and credit  
 16 the entire amount to the state general fund.

17 (c) In actions pursuant to the revised Kansas code for care of  
 18 children, K.S.A. 2015 Supp. 38-2201 et seq., and amendments thereto, the  
 19 revised Kansas juvenile justice code, K.S.A. 2015 Supp. 38-2301 et seq.,  
 20 and amendments thereto, the act for treatment of alcoholism, K.S.A. 65-  
 21 4001 et seq., and amendments thereto, the act for treatment of drug abuse,  
 22 K.S.A. 65-5201 et seq., and amendments thereto, or the care and treatment  
 23 act for mentally ill persons, K.S.A. 59-2945 et seq., and amendments  
 24 thereto, the clerk shall charge an additional fee of \$1 which shall be  
 25 deducted from the docket fee and credited to the prosecuting attorneys'  
 26 training fund as provided in K.S.A. 28-170a, and amendments thereto.

27 ~~(d) Except as provided further, the bond, lien or judgment fee~~  
 28 ~~established in subsection (a) shall be the only fee collected or moneys in~~  
 29 ~~the nature of a fee collected for such bond, lien or judgment. Such fee shall~~  
 30 ~~only be established by an act of the legislature and no other authority is~~  
 31 ~~established by law or otherwise to collect a fee. On and after July 1, 2015,~~  
 32 ~~through June 30, 2017, the supreme court may impose an additional~~  
 33 ~~charge, not to exceed \$22 per bond, lien or judgment fee, to fund the costs~~  
 34 ~~of non-judicial personnel.~~

35 Sec. 13. K.S.A. 2015 Supp. 28-170a is hereby amended to read as  
 36 follows: 28-170a. (a) There is hereby established a prosecuting attorneys'  
 37 training fund. The clerk of the district court shall charge a fee of \$1 in each  
 38 criminal case, ~~to be deducted from~~ *in addition to* the docket fee as  
 39 provided in K.S.A. 28-172a, and amendments thereto and shall charge a  
 40 fee of \$1 in each case pursuant to the revised Kansas code for care of  
 41 children or the revised Kansas juvenile justice code and each mental  
 42 illness, drug abuse or alcoholism treatment action as provided by  
 43 ~~subsection (e) of K.S.A. 28-170(c), and amendments thereto. The clerk of~~

1 the district court, at least monthly, shall pay all such fees received to the  
2 county treasurer who shall credit the same to the prosecuting attorneys'  
3 training fund.

4 (b) Expenditures from the prosecuting attorneys' training fund shall  
5 be paid by the county treasurer upon the order of the county or district  
6 attorney and shall be used exclusively for the training of personnel in such  
7 attorney's office and costs related thereto. Annually, on or before March  
8 15, each county and district attorney shall submit to the attorney general  
9 and the chairperson of the judiciary committee of each house, an  
10 accounting that shows for the preceding year the amount of fees paid into  
11 the prosecuting attorneys' training fund, the amounts and purpose of each  
12 expenditure from such fund and the balance in such fund on December 31  
13 of the preceding year. The purpose for each expenditure shall specifically  
14 identify the person or persons for whom the expenditure was made and,  
15 where applicable, the time and place where the training was received. If  
16 any expenditure was paid to a nonprofit organization organized in this  
17 state of which the county or district attorney is a member, the county or  
18 district attorney shall include information on the training received for such  
19 expenditure which information shall show the persons receiving the  
20 training and the time and place thereof.

21 Sec. 14. K.S.A. 2015 Supp. 28-172a is hereby amended to read as  
22 follows: 28-172a. (a) Except as otherwise provided in this section,  
23 whenever the prosecuting witness or defendant is adjudged to pay the costs  
24 in a criminal proceeding in any county, *shall be charged* a docket fee  
25 ~~shall be taxed as follows, on and after July 1, 2013:~~

26	Murder or manslaughter.....	\$180.50
27	Other felony.....	171.00
28	Misdemeanor.....	136.00
29	Forfeited recognizance.....	72.50
30	Appeals from other courts.....	72.50

31 *in an amount determined by the supreme court pursuant to section 1, and*  
32 *amendments thereto.*

33 (b) (1) Except as provided in paragraph (2), in actions involving the  
34 violation of any of the laws of this state regulating traffic on highways,  
35 including those listed in K.S.A. 8-2118(c), and amendments thereto, a  
36 cigarette or tobacco infraction, any act declared a crime pursuant to the  
37 statutes contained in chapter 32 of the Kansas Statutes Annotated, and  
38 amendments thereto, or any act declared a crime pursuant to the statutes  
39 contained in article 8 of chapter 82a of the Kansas Statutes Annotated, and  
40 amendments thereto, whenever the prosecuting witness or defendant is  
41 adjudged to pay the costs in the action, ~~on and after July 1, 2014,~~ a docket  
42 fee ~~of \$86~~ *in an amount determined by the supreme court pursuant to*  
43 *section 1, and amendments thereto,* shall be charged. When an action is

1 disposed of under K.S.A. 8-2118(a) and (b), or K.S.A. 79-3393(f), and  
2 amendments thereto, ~~on and after July 1, 2014,~~ the docket fee to be paid as  
3 court costs shall be ~~\$86 in an amount determined by the supreme court~~  
4 *pursuant to section 1, and amendments thereto.*

5 (2) In actions involving the violation of a moving traffic violation  
6 under K.S.A. 8-2118, and amendments thereto, as defined by rules and  
7 regulations adopted under K.S.A. 8-249, and amendments thereto,  
8 whenever the prosecuting witness or defendant is adjudged to pay the costs  
9 in the action, ~~on and after July 1, 2014,~~ a docket fee of ~~\$86 in an amount~~  
10 *determined by the supreme court pursuant to section 1, and amendments*  
11 *thereto*, shall be charged. When an action is disposed of under K.S.A. 8-  
12 2118(a) and (b), and amendments thereto, ~~on and after July 1, 2014,~~ the  
13 docket fee to be paid as court costs shall be ~~\$86 in an amount determined~~  
14 *by the supreme court pursuant to section 1, and amendments thereto.*

15 (c) If a conviction is on more than one count, the docket fee shall be  
16 the highest one applicable to any one of the counts. The prosecuting  
17 witness or defendant, if assessed the costs, shall pay only one fee. Multiple  
18 defendants shall each pay one fee.

19 (d) Statutory charges made pursuant to the provisions of K.S.A. 20-  
20 362, and amendments thereto, shall be paid ~~from~~ *in addition to* the docket  
21 fee; the family violence and child abuse and neglect assistance and  
22 prevention fund fee shall be paid from criminal proceedings docket fees.  
23 All other fees and expenses to be assessed as additional court costs shall be  
24 approved by the court, unless specifically fixed by statute. Additional fees  
25 shall include, but are not limited to, fees for Kansas bureau of  
26 investigation forensic or laboratory analyses, fees for detention facility  
27 processing pursuant to K.S.A. 12-16,119, and amendments thereto, fees  
28 for the sexual assault evidence collection kit, fees for conducting an  
29 examination of a sexual assault victim, fees for service of process outside  
30 the state, witness fees, fees for transcripts and depositions, costs from  
31 other courts, doctors' fees and examination and evaluation fees. No sheriff  
32 in this state shall charge any district court of this state a fee or mileage for  
33 serving any paper or process.

34 (e) In each case charging a violation of the laws relating to parking of  
35 motor vehicles on the statehouse grounds or other state-owned or operated  
36 property in Shawnee county, Kansas, as specified in K.S.A. 75-4510a, and  
37 amendments thereto, or as specified in K.S.A. 75-4508, and amendments  
38 thereto, the clerk shall tax a fee of \$2 which shall constitute the entire costs  
39 in the case, except that witness fees, mileage and expenses incurred in  
40 serving a warrant shall be in addition to the fee. Appearance bond for a  
41 parking violation of K.S.A. 75-4508 or 75-4510a, and amendments  
42 thereto, shall be \$3, unless a warrant is issued. The judge may order the  
43 bond forfeited upon the defendant's failure to appear, and \$2 of any bond

1 so forfeited shall be regarded as court costs.

2 ~~(f) Except as provided further, the docket fee established in this~~  
3 ~~section shall be the only fee collected or moneys in the nature of a fee~~  
4 ~~collected for the docket fee. Such fee shall only be established by an act of~~  
5 ~~the legislature and no other authority is established by law or otherwise to~~  
6 ~~collect a fee. On and after July 1, 2015, through June 30, 2017, the~~  
7 ~~supreme court may impose an additional charge, not to exceed \$22 per~~  
8 ~~docket fee, to fund the costs of non-judicial personnel.~~

9 Sec. 15. K.S.A. 2013 Supp. 28-172b is hereby revived and amended  
10 to read as follows: 28-172b. (a) There is hereby established in the state  
11 treasury an indigents' defense services fund.

12 (b) ~~The clerk of the district court shall charge a fee of \$.50 in each~~  
13 ~~criminal case, to be deducted from the docket fee as provided in K.S.A.~~  
14 ~~28-172a, and amendments thereto, and shall charge a fee of \$.50 in each~~  
15 ~~case pursuant to the revised Kansas code for care of children or the revised~~  
16 ~~Kansas juvenile justice code and each mental illness, drug abuse or~~  
17 ~~alcoholism treatment action as provided by subsection (d) of K.S.A. 28-~~  
18 ~~170, and amendments thereto. The clerk of the district court shall remit all~~  
19 ~~such fees received to the state treasurer in accordance with the provisions~~  
20 ~~of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such~~  
21 ~~remittance, the state treasurer shall deposit the entire amount in the state~~  
22 ~~treasury to the credit of the indigents' defense services fund.~~

23 ~~(c) Moneys in the indigents' defense services fund shall be used~~  
24 ~~exclusively to provide counsel and related services for indigent~~  
25 ~~defendants. Expenditures from such fund shall be made in accordance with~~  
26 ~~appropriation acts upon warrants of the director of accounts and reports~~  
27 ~~issued pursuant to vouchers approved by the chairperson of the state board~~  
28 ~~of indigents' defense services or a person designated by the chairperson.~~

29 Sec. 16. K.S.A. 2015 Supp. 28-177 is hereby amended to read as  
30 follows: 28-177. (a) ~~Except as provided in this section and K.S.A. 2015~~  
31 ~~Supp. 28-178, and amendments thereto, the fees established by legislative~~  
32 ~~enactment shall be the only fee collected or moneys in the nature of a fee~~  
33 ~~collected for court procedures. Such fee shall only be established by an act~~  
34 ~~of the legislature and no other authority is established by law or otherwise~~  
35 ~~to collect a fee. Court procedures shall include docket fees, filing fees or~~  
36 ~~other fees related to access to court procedures. On and after July 1, 2015,~~  
37 ~~through June 30, 2017, the supreme court may impose an additional~~  
38 ~~charge, not to exceed \$26.50 per fee or the amount established by the~~  
39 ~~applicable statute, whichever amount is less, to fund the costs of non-~~  
40 ~~judicial personnel.~~

41 ~~(b) Such additional charge imposed by the court pursuant to K.S.A. 8-~~  
42 ~~2107, 8-2110, 22-2410, 28-170, 28-172a, 59-104, 60-2001, 60-2203a, 61-~~  
43 ~~2704, 61-4001 and 65-409 and K.S.A. 2015 Supp. 21-6614, 23-2510, 28-~~

1 178, 28-179, 32-1049a, 38-2215, 38-2312 and 38-2314, and amendments  
2 thereto, shall be remitted to the state treasurer in accordance with the  
3 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of  
4 each such remittance, the state treasurer shall deposit the entire amount in  
5 the state treasury to the credit of The judicial branch docket fee fund,  
6 which is hereby created in the state treasury.

7 (e) Moneys credited to the judicial branch docket fee fund shall not  
8 be expended for compensation of judges or justices of the judicial branch.

9 (d) (b) All expenditures from the judicial branch docket fee fund shall  
10 be made in accordance with appropriation acts and upon warrants of the  
11 director of accounts and reports issued pursuant to vouchers approved by  
12 the chief justice of the Kansas supreme court or by a person or persons  
13 designated by the chief justice.

14 (e) (c) Expenditures may be made from the judicial branch docket fee  
15 fund to provide services and programs for the purpose of educating and  
16 training judicial branch officers and employees, administering the training,  
17 testing and education of municipal judges as provided in K.S.A. 12-4114,  
18 and amendments thereto, and for educating and training municipal judges  
19 and municipal court and support staff, including official hospitality. The  
20 judicial administrator is hereby authorized to fix, charge and collect fees  
21 for such services and programs. Such fees may be fixed to cover all or part  
22 of the operating expenditures incurred in providing such services and  
23 programs, including official hospitality. All fees received for such  
24 purposes and programs, including official hospitality, shall be deposited in  
25 the state treasury in accordance with the provisions of K.S.A. 75-4215, and  
26 amendments thereto, and shall be credited to the judicial branch docket fee  
27 fund for any purpose, as determined by the supreme court, consistent with  
28 judicial administration under section 1 of article 3 of the constitution of  
29 the state of Kansas.

30 (f) On the effective date of this act:

31 (1) The director of accounts and reports shall transfer all moneys in  
32 the judicial branch surcharge fund to the judicial branch docket fee fund;

33 (2) all liabilities of the judicial branch surcharge fund existing prior to  
34 that date are hereby imposed on the judicial branch docket fee fund; and

35 (3) the judicial branch surcharge fund is hereby abolished.

36 Sec. 17. K.S.A. 2015 Supp. 32-1049a is hereby amended to read as  
37 follows: 32-1049a. (a) Failure to comply with a wildlife, parks and tourism  
38 citation means failure to:

39 (1) Appear before any district court in response to a wildlife, parks  
40 and tourism citation and pay in full any fine, court costs, assessments or  
41 fees imposed;

42 (2) fully pay or satisfy all fines, court costs, assessments or fees  
43 imposed as a part of the sentence of any district court for violation of the

1 wildlife, parks and tourism laws of this state; or

2 (3) otherwise comply with a wildlife, parks and tourism citation as  
3 provided in K.S.A. 32-1049, and amendments thereto.

4 Failure to comply with a wildlife, parks and tourism citation is a class  
5 C misdemeanor, regardless of the disposition of the charge for which such  
6 citation, complaint or charge was originally issued.

7 (b) The term "citation" means any complaint, summons, notice to  
8 appear, ticket, warrant, penalty assessment or other official document  
9 issued for the prosecution of the wildlife, parks and tourism laws or rules  
10 and regulations of this state.

11 (c) In addition to penalties of law applicable under subsection (a)  
12 when a person fails to comply with a wildlife, parks and tourism citation  
13 or sentence for a violation of wildlife, parks and tourism laws or rules and  
14 regulations, the district court in which the person should have complied  
15 shall mail a notice to the person that if the person does not appear in the  
16 district court or pay all fines, court costs, assessments or fees, and any  
17 penalties imposed within 30 days from the date of mailing, the Kansas  
18 department of wildlife, parks and tourism shall be notified to forfeit or  
19 suspend any license, permit, stamp or other issue of the department. Upon  
20 receipt of a report of a failure to comply with a wildlife, parks and tourism  
21 citation under this section, and amendments thereto, the department shall  
22 notify the violator and suspend or forfeit the license, permit, stamp or  
23 other issue of the department held by the violator until satisfactory  
24 evidence of compliance with the wildlife, parks and tourism citation or  
25 sentence of the district court for violation of the wildlife, parks and  
26 tourism laws or rules and regulations of this state are furnished to the  
27 informing court. Upon receipt of notification of such compliance from the  
28 informing court, the department shall terminate the suspension action,  
29 unless the violator is otherwise suspended.

30 (d) Except as provided in subsection (e), when the district court  
31 notifies the department of a failure to comply with a wildlife, parks and  
32 tourism citation or failure to comply with a sentence of the district court  
33 imposed on violation of a wildlife, parks and tourism law or rule and  
34 regulation, the court shall assess a reinstatement fee of \$50 for each charge  
35 or sentence on which the person failed to make satisfaction, regardless of  
36 the disposition of the charge for which such citation was originally issued.  
37 Such reinstatement fee shall be in addition to any fine, court costs and  
38 other assessments, fees or penalties. The court shall remit all reinstatement  
39 fees to the state treasurer in accordance with the provisions of K.S.A. 75-  
40 4215, and amendments thereto. Upon receipt of each remittance, the state  
41 treasurer shall deposit the entire amount in the state treasury and shall  
42 credit such moneys to the state general fund.

43 (e) The district court shall waive the reinstatement fee provided for in



1 subsection (d), if the failure to comply with a wildlife, parks and tourism  
2 citation was the result of such person enlisting in or being drafted into the  
3 armed services of the United States of America, being called into service  
4 as a member of a reserve component of the military service of the United  
5 States of America, or volunteering for such active duty or being called into  
6 service as a member of the Kansas national guard or volunteering for such  
7 active duty and being absent from Kansas because of such military service.  
8 The state treasurer and the director of accounts and reports shall prescribe  
9 procedures for all such reimbursement payments and shall create  
10 appropriate accounts, make appropriate accounting entries and issue such  
11 appropriate vouchers and warrants as may be required to make such  
12 reimbursement payments.

13 ~~(f) Except as provided further, the reinstatement fee established in~~  
14 ~~subsection (d) shall be the only fee collected or moneys in the nature of a~~  
15 ~~fee collected for such reinstatement. Such fee shall only be established by~~  
16 ~~an act of the legislature and no other authority is established by law or~~  
17 ~~otherwise to collect a fee. On and after July 1, 2015, through June 30,~~  
18 ~~2017, the supreme court may impose an additional charge, not to exceed~~  
19 ~~\$22 per reinstatement fee, to fund the costs of non-judicial personnel.~~

20 Sec. 18. K.S.A. 2015 Supp. 38-2215 is hereby amended to read as  
21 follows: 38-2215. (a) *Docket fee.* The docket fee for proceedings under  
22 this code, if one is assessed as provided in this section, shall be ~~\$34~~ *in an*  
23 *amount determined by the supreme court pursuant to section 1, and*  
24 *amendments thereto.* Only one docket fee shall be assessed in each case.  
25 ~~Except as provided further, the docket fee established in this section shall~~  
26 ~~be the only fee collected or moneys in the nature of a fee collected for the~~  
27 ~~docket fee. Such fee shall only be established by an act of the legislature~~  
28 ~~and no other authority is established by law or otherwise to collect a fee.~~  
29 ~~On and after July 1, 2015, through June 30, 2017, the supreme court may~~  
30 ~~impose an additional charge, not to exceed \$22 per docket fee, to fund the~~  
31 ~~costs of non-judicial personnel.~~

32 (b) *Expenses.* The expenses for proceedings under this code,  
33 including fees and mileage allowed witnesses and fees and expenses  
34 approved by the court for appointed attorneys, shall be paid by the board  
35 of county commissioners from the general fund of the county.

36 (c) *Assessment of docket fee and expenses.* (1) *Docket fee.* The docket  
37 fee may be assessed or waived by the court conducting the initial  
38 dispositional hearing and the docket fee may be assessed against the  
39 complaining witness or person initiating the proceedings or a party or  
40 interested party other than the state, a political subdivision of the state, an  
41 agency of the state or of a political subdivision of the state, or a person  
42 acting in the capacity of an employee of the state or of a political  
43 subdivision of the state. Any docket fee received shall be remitted to the

1 state treasurer pursuant to K.S.A. 20-362, and amendments thereto.

2 (2) *Expenses.* Expenses may be assessed against the complaining  
3 witness, a person initiating the proceedings, a party or an interested party,  
4 other than the state, a political subdivision of the state, an agency of the  
5 state or of a political subdivision of the state or a person acting in the  
6 capacity of an employee of the state or of a political subdivision of the  
7 state. When expenses are recovered from a person against whom they have  
8 been assessed the general fund of the county shall be reimbursed in the  
9 amount of the recovery. If it appears to the court in any proceedings under  
10 this code that expenses were unreasonably incurred at the request of any  
11 party the court may assess that portion of the expenses against the party.

12 (d) *Cases in which venue is transferred.* If venue is transferred from  
13 one county to another, the court from which the case is transferred shall  
14 send to the receiving court a statement of expenses paid from the general  
15 fund of the sending county. If the receiving court collects any of the  
16 expenses owed in the case, the receiving court shall pay to the sending  
17 court an amount proportional to the sending court's share of the total  
18 expenses owed to both counties. The expenses of the sending county shall  
19 not be an obligation of the receiving county except to the extent that the  
20 sending county's proportion of the expenses is collected by the receiving  
21 court. All amounts collected shall first be applied toward payment of the  
22 docket fee.

23 Sec. 19. K.S.A. 2015 Supp. 38-2312 is hereby amended to read as  
24 follows: 38-2312. (a) Except as provided in subsection (b) and (c), any  
25 records or files specified in this code concerning a juvenile may be  
26 expunged upon application to a judge of the court of the county in which  
27 the records or files are maintained. The application for expungement may  
28 be made by the juvenile, if 18 years of age or older or, if the juvenile is  
29 less than 18 years of age, by the juvenile's parent or next friend.

30 (b) There shall be no expungement of records or files concerning acts  
31 committed by a juvenile which, if committed by an adult, would constitute  
32 a violation of K.S.A. 21-3401, prior to its repeal, or K.S.A. 2015 Supp. 21-  
33 5402, and amendments thereto, murder in the first degree; K.S.A. 21-3402,  
34 prior to its repeal, or K.S.A. 2015 Supp. 21-5403, and amendments  
35 thereto, murder in the second degree; K.S.A. 21-3403, prior to its repeal,  
36 or K.S.A. 2015 Supp. 21-5404, and amendments thereto, voluntary  
37 manslaughter; K.S.A. 21-3404, prior to its repeal, or K.S.A. 2015 Supp.  
38 21-5405, and amendments thereto, involuntary manslaughter; K.S.A. 21-  
39 3439, prior to its repeal, or K.S.A. 2015 Supp. 21-5401, and amendments  
40 thereto, capital murder; K.S.A. 21-3442, prior to its repeal, or K.S.A. 2015  
41 Supp. 21-5405(a)(3), and amendments thereto, involuntary manslaughter  
42 while driving under the influence of alcohol or drugs; K.S.A. 21-3502,  
43 prior to its repeal, or K.S.A. 2015 Supp. 21-5503, and amendments

1 thereto, rape; K.S.A. 21-3503, prior to its repeal, or K.S.A. 2015 Supp. 21-  
2 5506(a), and amendments thereto, indecent liberties with a child; K.S.A.  
3 21-3504, prior to its repeal, or K.S.A. 2015 Supp. 21-5506(b), and  
4 amendments thereto, aggravated indecent liberties with a child; K.S.A. 21-  
5 3506, prior to its repeal, or K.S.A. 2015 Supp. 21-5504(b), and  
6 amendments thereto, aggravated criminal sodomy; K.S.A. 21-3510, prior  
7 to its repeal, or K.S.A. 2015 Supp. 21-5508(a), and amendments thereto,  
8 indecent solicitation of a child; K.S.A. 21-3511, prior to its repeal, or  
9 K.S.A. 2015 Supp. 21-5508(b), and amendments thereto, aggravated  
10 indecent solicitation of a child; K.S.A. 21-3516, prior to its repeal, or  
11 K.S.A. 2015 Supp. 21-5510, and amendments thereto, sexual exploitation  
12 of a child; K.S.A. 21-3603, prior to its repeal, or K.S.A. 2015 Supp. 21-  
13 5604(b), and amendments thereto, aggravated incest; K.S.A. 21-3608,  
14 prior to its repeal, or K.S.A. 2015 Supp. 21-5601(a), and amendments  
15 thereto, endangering a child; K.S.A. 21-3609, prior to its repeal, or K.S.A.  
16 2015 Supp. 21-5602, and amendments thereto, abuse of a child; or which  
17 would constitute an attempt to commit a violation of any of the offenses  
18 specified in this subsection.

19 (c) Notwithstanding any other law to the contrary, for any offender  
20 who is required to register as provided in the Kansas offender registration  
21 act, K.S.A. 22-4901 et seq., and amendments thereto, there shall be no  
22 expungement of any conviction or any part of the offender's criminal  
23 record while the offender is required to register as provided in the Kansas  
24 offender registration act.

25 (d) When a petition for expungement is filed, the court shall set a date  
26 for a hearing on the petition and shall give notice thereof to the county or  
27 district attorney. The petition shall state: (1) The juvenile's full name; (2)  
28 the full name of the juvenile as reflected in the court record, if different  
29 than (1); (3) the juvenile's sex and date of birth; (4) the offense for which  
30 the juvenile was adjudicated; (5) the date of the trial; and (6) the identity  
31 of the trial court. Except as otherwise provided by law, a petition for  
32 expungement shall be accompanied by a docket fee in the amount of ~~\$176~~  
33 *determined by the supreme court pursuant to section 1, and amendments*  
34 *thereto. On and after July 1, 2015, through June 30, 2017, the supreme*  
35 *court may impose a charge, not to exceed \$19 per case, to fund the costs of*  
36 ~~non-judicial personnel.~~ All petitions for expungement shall be docketed in  
37 the original action. Any person who may have relevant information about  
38 the petitioner may testify at the hearing. The court may inquire into the  
39 background of the petitioner.

40 (e) (1) After hearing, the court shall order the expungement of the  
41 records and files if the court finds that:

42 (A) (i) The juvenile has reached 23 years of age or that two years  
43 have elapsed since the final discharge; or

1 (ii) one year has elapsed since the final discharge for an adjudication  
2 concerning acts committed by a juvenile which, if committed by an adult,  
3 would constitute a violation of K.S.A. 2015 Supp. 21-6419, and  
4 amendments thereto;

5 (B) since the final discharge of the juvenile, the juvenile has not been  
6 convicted of a felony or of a misdemeanor other than a traffic offense or  
7 adjudicated as a juvenile offender under the revised Kansas juvenile justice  
8 code and no proceedings are pending seeking such a conviction or  
9 adjudication; and

10 (C) the circumstances and behavior of the petitioner warrant  
11 expungement.

12 (2) The court may require that all court costs, fees and restitution  
13 shall be paid.

14 (f) Upon entry of an order expunging records or files, the offense  
15 which the records or files concern shall be treated as if it never occurred,  
16 except that upon conviction of a crime or adjudication in a subsequent  
17 action under this code the offense may be considered in determining the  
18 sentence to be imposed. The petitioner, the court and all law enforcement  
19 officers and other public offices and agencies shall properly reply on  
20 inquiry that no record or file exists with respect to the juvenile. Inspection  
21 of the expunged files or records thereafter may be permitted by order of  
22 the court upon petition by the person who is the subject thereof. The  
23 inspection shall be limited to inspection by the person who is the subject of  
24 the files or records and the person's designees.

25 (g) A certified copy of any order made pursuant to subsection (a) or  
26 (d) shall be sent to the Kansas bureau of investigation, which shall notify  
27 every juvenile or criminal justice agency which may possess records or  
28 files ordered to be expunged. If the agency fails to comply with the order  
29 within a reasonable time after its receipt, such agency may be adjudged in  
30 contempt of court and punished accordingly.

31 (h) The court shall inform any juvenile who has been adjudicated a  
32 juvenile offender of the provisions of this section.

33 (i) Nothing in this section shall be construed to prohibit the  
34 maintenance of information relating to an offense after records or files  
35 concerning the offense have been expunged if the information is kept in a  
36 manner that does not enable identification of the juvenile.

37 (j) Nothing in this section shall be construed to permit or require  
38 expungement of files or records related to a child support order registered  
39 pursuant to the revised Kansas juvenile justice code.

40 (k) Whenever the records or files of any adjudication have been  
41 expunged under the provisions of this section, the custodian of the records  
42 or files of adjudication relating to that offense shall not disclose the  
43 existence of such records or files, except when requested by:

- 1 (1) The person whose record was expunged;
- 2 (2) a private detective agency or a private patrol operator, and the  
3 request is accompanied by a statement that the request is being made in  
4 conjunction with an application for employment with such agency or  
5 operator by the person whose record has been expunged;
- 6 (3) a court, upon a showing of a subsequent conviction of the person  
7 whose record has been expunged;
- 8 (4) the secretary for aging and disability services, or a designee of the  
9 secretary, for the purpose of obtaining information relating to employment  
10 in an institution, as defined in K.S.A. 76-12a01, and amendments thereto,  
11 of the Kansas department for aging and disability services of any person  
12 whose record has been expunged;
- 13 (5) a person entitled to such information pursuant to the terms of the  
14 expungement order;
- 15 (6) the Kansas lottery, and the request is accompanied by a statement  
16 that the request is being made to aid in determining qualifications for  
17 employment with the Kansas lottery or for work in sensitive areas within  
18 the Kansas lottery as deemed appropriate by the executive director of the  
19 Kansas lottery;
- 20 (7) the governor or the Kansas racing commission, or a designee of  
21 the commission, and the request is accompanied by a statement that the  
22 request is being made to aid in determining qualifications for executive  
23 director of the commission, for employment with the commission, for  
24 work in sensitive areas in parimutuel racing as deemed appropriate by the  
25 executive director of the commission or for licensure, renewal of licensure  
26 or continued licensure by the commission;
- 27 (8) the Kansas sentencing commission; or
- 28 (9) the Kansas bureau of investigation, for the purposes of:
  - 29 (A) Completing a person's criminal history record information within  
30 the central repository in accordance with K.S.A. 22-4701 et seq., and  
31 amendments thereto; or
  - 32 (B) providing information or documentation to the federal bureau of  
33 investigation, in connection with the national instant criminal background  
34 check system, to determine a person's qualification to possess a firearm.
- 35 (l) The provisions of subsection (k)(9) shall apply to all records  
36 created prior to, on and after July 1, 2011.

37 Sec. 20. K.S.A. 2015 Supp. 38-2314 is hereby amended to read as  
38 follows: 38-2314. (a) *Docket fee*. The docket fee for proceedings under  
39 this code, if one is assessed as provided by this section, shall be ~~\$34~~ *in an*  
40 *amount determined by the supreme court pursuant to section 1, and*  
41 *amendments thereto*. ~~Only one docket fee shall be assessed in each case.~~  
42 ~~Except as provided further, the docket fee established in this section shall~~  
43 ~~be the only fee collected or moneys in the nature of a fee collected for the~~

1 docket fee. Such fee shall only be established by an act of the legislature  
2 and no other authority is established by law or otherwise to collect a fee.  
3 ~~On and after July 1, 2015, through June 30, 2017, the supreme court may~~  
4 ~~impose an additional charge, not to exceed \$22 per docket fee, to fund the~~  
5 ~~costs of non-judicial personnel.~~

6 (b) *Expenses.* The expenses for proceedings under this code,  
7 including fees and mileage allowed witnesses and fees and expenses  
8 approved by the court for appointed attorneys, shall be paid by the board  
9 of county commissioners from the general fund of the county.

10 (c) *Assessment of docket fee and expenses.* (1) *Docket fee.* The docket  
11 fee may be assessed or waived by the court conducting the initial  
12 sentencing hearing and may be assessed against the juvenile or the parent  
13 of the juvenile. Any docket fee received shall be remitted to the state  
14 treasurer pursuant to K.S.A. 20-362, and amendments thereto.

15 (2) *Expenses.* Expenses may be waived or assessed against the  
16 juvenile or a parent of the juvenile. When expenses are recovered from a  
17 party against whom they have been assessed the general fund of the county  
18 shall be reimbursed in the amount of the recovery.

19 (3) *Prohibited assessment.* Docket fees or expenses shall not be  
20 assessed against the state, a political subdivision of the state, an agency of  
21 the state or of a political subdivision of the state or a person acting in the  
22 capacity of an employee of the state or of a political subdivision of the  
23 state.

24 (d) *Cases in which venue is transferred.* If venue is transferred from  
25 one county to another, the court from which the case is transferred shall  
26 send to the receiving court a statement of expenses paid from the general  
27 fund of the sending county. If the receiving court collects any of the  
28 expenses owed in the case, the receiving court shall pay to the sending  
29 court an amount proportional to the sending court's share of the total  
30 expenses owed to both counties. The expenses of the sending county shall  
31 not be an obligation of the receiving county except to the extent that the  
32 sending county's proportionate share of the expenses is collected by the  
33 receiving court. Unless otherwise ordered by the court, all amounts  
34 collected shall first be applied toward payment of restitution, then toward  
35 the payment of the docket fee.

36 Sec. 21. K.S.A. 2015 Supp. 59-104 is hereby amended to read as  
37 follows: 59-104. (a) *Docket fee.* ~~(1)~~ Except as otherwise provided by law,  
38 no case shall be filed or docketed in the district court under the provisions  
39 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto,  
40 or of articles 40 and 52 of chapter 65 of the Kansas Statutes Annotated,  
41 and amendments thereto, without payment of an appropriate docket fee as  
42 follows, on and after July 1, 2014:

43 ~~Treatment of mentally ill~~

1 .....  
2 \$34.50  
3 Treatment of alcoholism or drug abuse .....  
4 34.50  
5 Determination of descent of property .....  
6 49.50  
7 Termination of life estate .....  
8 48.50  
9 Termination of joint tenancy .....  
10 48.50  
11 Refusal to grant letters of administration .....  
12 48.50  
13 Adoption .....  
14 48.50  
15 Filing a will and affidavit under K.S.A. 59-618a .....  
16 48.50  
17 Guardianship .....  
18 69.50  
19 Conservatorship .....  
20 69.50  
21 Trusteeship .....  
22 69.50  
23 Combined guardianship and conservatorship .....  
24 69.50  
25 Certified probate proceedings under K.S.A. 59-213,  
26 and amendments thereto .....  
27 23.50  
28 Decrees in probate from another state .....  
29 173.00  
30 Probate of an estate or of a will .....  
31 109.50  
32 Civil commitment under K.S.A. 59-29a01 et seq. ....  
33 33.50

34 (2) Except as provided further, the docket fee established in this  
35 section shall be the only fee collected or moneys in the nature of a fee  
36 collected for the docket fee. Such fee shall only be established by an act of  
37 the legislature and no other authority is established by law or otherwise to  
38 collect a fee. On and after July 1, 2015, through June 30, 2017, the  
39 supreme court may impose an additional charge, not to exceed \$22 per  
40 docket fee, to fund the costs of non-judicial personnel a docket fee in an  
41 amount determined by the supreme court pursuant to section 1, and  
42 amendments thereto.

43 (b) Poverty affidavit in lieu of docket fee and exemptions. The

1 provisions of K.S.A. 60-2001(b) and K.S.A. 60-2005, and amendments  
2 thereto, shall apply to probate docket fees prescribed by this section.

3 (c) *Disposition of docket fee.* Statutory charges for the law library and  
4 for the prosecuting attorneys' training fund shall be paid ~~from~~ *in addition*  
5 *to* the docket fee. The ~~remainder of the~~ docket fee shall be paid to the state  
6 treasurer in accordance with K.S.A. 20-362, and amendments thereto.

7 (d) *Additional court costs.* Other fees and expenses to be assessed as  
8 additional court costs shall be approved by the court, unless specifically  
9 fixed by statute. Other fees shall include, but not be limited to, witness  
10 fees, appraiser fees, fees for service of process outside the state, fees for  
11 depositions, transcripts and publication of legal notice, executor or  
12 administrator fees, attorney fees, court costs from other courts and any  
13 other fees and expenses required by statute. All additional court costs shall  
14 be taxed and billed against the parties or estate as directed by the court. No  
15 sheriff in this state shall charge any district court in this state a fee or  
16 mileage for serving any paper or process.

17 Sec. 22. K.S.A. 2015 Supp. 60-729 is hereby amended to read as  
18 follows: 60-729. (a) Garnishment is a procedure whereby the wages,  
19 money or intangible property of a person can be seized or attached  
20 pursuant to an order of garnishment issued by the court under the  
21 conditions set forth in the order.

22 (b) On and after July 1, 2014, any party requesting an order of  
23 garnishment shall pay a fee in the amount ~~of \$7.50 determined by the~~  
24 *supreme court pursuant to section 1, and amendments thereto*, to the clerk  
25 of the district court.

26 (c) A poverty affidavit may be filed in lieu of a fee as established in  
27 K.S.A. 60-2001, and amendments thereto.

28 (d) The fee shall be the only costs assessed in each case for services  
29 of the clerk of the district court and the sheriff. The fee shall be disbursed  
30 in accordance with K.S.A. 20-362, and amendments thereto.

31 ~~(e) Except as provided further, the fee established in this section shall~~  
32 ~~be the only fee collected or moneys in the nature of a fee collected for the~~  
33 ~~docket fee. Such fee shall only be established by an act of the legislature~~  
34 ~~and no other authority is established by law or otherwise to collect a fee.~~  
35 ~~On and after July 1, 2015, through June 30, 2017, the supreme court may~~  
36 ~~impose an additional charge, not to exceed \$12.50 per fee, to fund the~~  
37 ~~costs of non-judicial personnel.~~

38 (f) The state of Kansas and all municipalities in this state, as defined  
39 in K.S.A. 12-105a, and amendments thereto, shall be exempt from paying  
40 such fee.

41 Sec. 23. K.S.A. 2015 Supp. 60-2001 is hereby amended to read as  
42 follows: 60-2001. (a) *Docket fee.* Except as otherwise provided by law, no  
43 case shall be filed or docketed in the district court, whether original or



1 appealed, without payment of a docket fee in the amount of ~~\$173 on and~~  
2 ~~after July 1, 2014~~ *determined by the supreme court pursuant to section 1,*  
3 *and amendments thereto*, to the clerk of the district court. ~~Except as~~  
4 ~~provided further, the docket fee established in this subsection shall be the~~  
5 ~~only fee collected or moneys in the nature of a fee collected for the docket~~  
6 ~~fee. Such fee shall only be established by an act of the legislature and no~~  
7 ~~other authority is established by law or otherwise to collect a fee. On and~~  
8 ~~after July 1, 2015, through June 30, 2017, the supreme court may impose~~  
9 ~~an additional charge, not to exceed \$22 per docket fee, to fund the costs of~~  
10 ~~non-judicial personnel.~~

11 (b) *Poverty affidavit in lieu of docket fee.* (1) *Effect.* In any case  
12 where a plaintiff by reason of poverty is unable to pay a docket fee, and an  
13 affidavit so stating is filed, no fee will be required. An inmate in the  
14 custody of the secretary of corrections may file a poverty affidavit only if  
15 the inmate attaches a statement disclosing the average account balance, or  
16 the total deposits, whichever is less, in the inmate's trust fund for each  
17 month in: (A) The six-month period preceding the filing of the action; or  
18 (B) the current period of incarceration, whichever is shorter. Such  
19 statement shall be certified by the secretary. On receipt of the affidavit and  
20 attached statement, the court shall determine the initial fee to be assessed  
21 for filing the action and in no event shall the court require an inmate to pay  
22 less than \$3. The secretary of corrections is hereby authorized to disburse  
23 money from the inmate's account to pay the costs as determined by the  
24 court. If the inmate has a zero balance in such inmate's account, the  
25 secretary shall debit such account in the amount of \$3 per filing fee as  
26 established by the court until money is credited to the account to pay such  
27 docket fee. Any initial filing fees assessed pursuant to this subsection shall  
28 not prevent the court, pursuant to subsection (d), from taxing that  
29 individual for the remainder of the amount required under subsection (a) or  
30 this subsection.

31 (2) *Form of affidavit.* The affidavit provided for in this subsection  
32 shall set forth a factual basis upon which the plaintiff alleges by reason of  
33 poverty an inability to pay a docket fee, including, but not limited to, the  
34 source and amount of the plaintiff's weekly income. Such affidavit shall be  
35 signed and sworn to by the plaintiff under oath, before one who has  
36 authority to administer the oath, under penalty of perjury, K.S.A. 2015  
37 Supp. 21-5903, and amendments thereto. The form of the affidavit shall be  
38 deemed sufficient if in substantial compliance with the form set forth by  
39 the judicial council.

40 (3) *Court review; grounds for dismissal; service of process.* The court  
41 shall review any petition authorized for filing under this subsection. Upon  
42 such review, if the court finds that the plaintiff's allegation of poverty is  
43 untrue, the court shall direct the plaintiff to pay the docket fee or dismiss

1 the petition without prejudice. Notwithstanding K.S.A. 60-301, and  
2 amendments thereto, service of process shall not issue unless the court  
3 grants leave following its review.

4 (c) *Disposition of fees.* The docket fees and the fees for service of  
5 process shall be the only costs assessed in each case for services of the  
6 clerk of the district court and the sheriff. For every person to be served by  
7 the sheriff, the persons requesting service of process shall provide proper  
8 payment to the clerk and the clerk of the district court shall forward the  
9 service of process fee to the sheriff in accordance with K.S.A. 28-110, and  
10 amendments thereto. The service of process fee, if paid by check or money  
11 order, shall be made payable to the sheriff. Such service of process fee  
12 shall be submitted by the sheriff at least monthly to the county treasurer  
13 for deposit in the county treasury and credited to the county general fund.  
14 The docket fee shall be disbursed in accordance with K.S.A. 20-362, and  
15 amendments thereto.

16 (d) *Additional court costs.* Other fees and expenses to be assessed as  
17 additional court costs shall be approved by the court, unless specifically  
18 fixed by statute. Other fees shall include, but not be limited to, witness  
19 fees, appraiser fees, fees for service of process, fees for depositions,  
20 alternative dispute resolution fees, transcripts and publication, attorney  
21 fees, court costs from other courts and any other fees and expenses  
22 required by statute. All additional court costs shall be taxed and billed  
23 against the parties as directed by the court. No sheriff in this state shall  
24 charge any mileage for serving any papers or process.

25 Sec. 24. K.S.A. 2015 Supp. 60-2008 is hereby amended to read as  
26 follows: 60-2008. (a) On and after the effective date of this act, any party  
27 filing a dispositive motion shall pay a fee in the amount of ~~\$195~~  
28 *determined by the supreme court pursuant to section 1, and amendments*  
29 *thereto*, to the clerk of the district court. A poverty affidavit may be filed in  
30 lieu of payment of such fee, as established in K.S.A. 60-2001, and  
31 amendments thereto. The fee shall be disbursed in accordance with K.S.A.  
32 20-362, and amendments thereto. ~~The fee shall only be established by an~~  
33 ~~act of the legislature and no other authority is established by law or~~  
34 ~~otherwise to collect such fee.~~ Such fee shall be an item allowable as a cost  
35 pursuant to K.S.A. 60-2003, and amendments thereto.

36 (b) As used in this section, "dispositive motion" means a motion to  
37 dismiss, a motion for judgment on the pleadings, a motion for summary  
38 judgment or partial summary judgment or a motion for judgment as a  
39 matter of law. "Dispositive motion" also shall include any motion  
40 determined by a judge to be seeking any disposition described in this  
41 subsection, regardless of the title assigned to such motion at the time of  
42 filing.

43 (c) The state of Kansas and all municipalities in this state, as defined

1 in K.S.A. 12-105a, and amendments thereto, shall be exempt from paying  
2 such fee.

3 (d) The provisions of this section shall not apply to an action pursuant  
4 to the code of civil procedure for limited actions.

5 (e) This section shall be part of and supplemental to the code of civil  
6 procedure.

7 Sec. 25. K.S.A. 2015 Supp. 60-2203a is hereby amended to read as  
8 follows: 60-2203a. (a) After the commencement of any action in any  
9 district court of this state, or the courts of the United States in the state of  
10 Kansas or in any action now pending heretofore commenced in such  
11 courts, which does not involve title to real estate, any party to such action  
12 may give notice in any other county of the state of the pendency of the  
13 action by filing for record with the clerk of the district court of such other  
14 county a verified statement setting forth the parties to the action, the nature  
15 of the action, the court in which it is pending, and the relief sought, which  
16 shall impart notice of the pendency of the action and shall result in the  
17 same lien rights as if the action were pending in that county. The lien shall  
18 be effective from the time the statement is filed, but not to exceed four  
19 months prior to the entry of judgment except as provided in subsection (c).  
20 The party filing such notice shall within 30 days after any satisfaction of  
21 the judgment entered in such action, or any other final disposition thereof,  
22 cause to be filed with such clerk of the district court a notice that all claims  
23 in such action are released. If the party filing fails or neglects to do so after  
24 reasonable demand by any party in interest, such party shall be liable in  
25 damages in the same amounts and manner as is provided by law for failure  
26 of a mortgagee to enter satisfaction of a mortgage. Upon the filing of such  
27 a notice of the pendency of an action the clerk shall charge a fee of \$14  
28 and shall enter and index the action in the same manner as for the filing of  
29 an original action. Upon the filing of a notice of release, the notice shall  
30 likewise be entered on the docket. ~~Except as provided further, the fee~~  
31 ~~established in this subsection shall be the only fee collected or moneys in~~  
32 ~~the nature of a fee collected for the court procedure. Such fee shall only be~~  
33 ~~established by an act of the legislature and no other authority is established~~  
34 ~~by law or otherwise to collect a fee. On and after July 1, 2015, through~~  
35 ~~June 30, 2017, the supreme court may impose an additional charge, not to~~  
36 ~~exceed \$22 per fee, to fund the costs of non-judicial personnel.~~

37 (b) Any notice of the type provided for in subsection (a) which was  
38 filed on or after January 10, 1977, and prior to the effective date of this act  
39 shall be deemed to impart notice of the pendency of the action in the same  
40 manner as if the provisions of subsection (a) were in force and effect on  
41 and after January 10, 1977.

42 (c) Notwithstanding the foregoing provisions of this section, the  
43 filing of a notice of the pendency of an action pursuant to subsection (a)

1 shall create no lien rights against the property of an employee of the state  
2 or a municipality prior to the date judgment is rendered if the pleadings in  
3 the pending action allege a negligent or wrongful act or omission of the  
4 employee while acting within the scope of such employee's employment,  
5 regardless of whether or not it is alleged in the alternative that the  
6 employee was acting outside of such employee's employment. A judgment  
7 against an employee shall become a lien upon such employee's property in  
8 the county where notice is filed pursuant to subsection (a) when the  
9 judgment is rendered only if it is found that: (1) The employee's negligent  
10 or wrongful act or omission occurred when the employee was acting  
11 outside the scope of such employee's employment; or (2) the employee's  
12 conduct which gave rise to the judgment was because of actual fraud or  
13 actual malice of the employee. In such cases the lien shall not be effective  
14 prior to the date judgment was rendered. As used in this subsection (c),  
15 "employee" shall have the meaning ascribed to such term in K.S.A. 75-  
16 6102, and amendments thereto.

17 Sec. 26. K.S.A. 2015 Supp. 61-2704 is hereby amended to read as  
18 follows: 61-2704. (a) An action seeking the recovery of a small claim shall  
19 be considered to have been commenced at the time a person files a written  
20 statement of the person's small claim with the clerk of the court if, within  
21 90 days after the small claim is filed, service of process is obtained or the  
22 first publication is made for service by publication. Otherwise, the action  
23 is deemed commenced at the time of service of process or first publication.  
24 An entry of appearance shall have the same effect as service.

25 (b) Upon the filing of a plaintiff's small claim, the clerk of the court  
26 shall require from the plaintiff a docket fee ~~of \$35 on and after July 1,~~  
27 ~~2014, if the claim does not exceed \$500; or \$55 on and after July 1, 2014,~~  
28 ~~if the claim exceeds \$500; in an amount determined by the supreme court~~  
29 ~~pursuant to section 1, and amendments thereto,~~ unless for good cause  
30 shown the judge waives the fee. The docket fee shall be the only costs  
31 required in an action seeking recovery of a small claim. No person may  
32 file more than 20 small claims under this act in the same court during any  
33 calendar year.

34 (c) ~~Except as provided further, the docket fee established in this~~  
35 ~~section shall be the only fee collected or moneys in the nature of a fee~~  
36 ~~collected for the docket fee. Such fee shall only be established by an act of~~  
37 ~~the legislature and no other authority is established by law or otherwise to~~  
38 ~~collect a fee. On and after July 1, 2015, through June 30, 2017, the~~  
39 ~~supreme court may impose an additional charge, not to exceed \$12.50 per~~  
40 ~~docket fee, to fund the costs of non-judicial personnel.~~

41 Sec. 27. K.S.A. 2015 Supp. 61-4001 is hereby amended to read as  
42 follows: 61-4001. (a) *Docket fee.* ~~(1)~~ No case shall be filed or docketed  
43 pursuant to the code of civil procedure for limited actions without the

1 payment of a docket fee in the amount of \$35 on and after July 1, 2013, if  
2 the amount in controversy or claimed does not exceed \$500; \$55 on and  
3 after July 1, 2013, if the amount in controversy or claimed exceeds \$500  
4 but does not exceed \$5,000; or \$101 on and after July 1, 2013, if the  
5 amount in controversy or claimed exceeds \$5,000 *determined by the*  
6 *supreme court pursuant to section 1, and amendments thereto.* If judgment  
7 is rendered for the plaintiff, the court also may enter judgment for the  
8 plaintiff for the amount of the docket fee paid by the plaintiff.

9 ~~(2) Except as provided further, the docket fee established in this~~  
10 ~~section shall be the only fee collected or moneys in the nature of a fee~~  
11 ~~collected for the docket fee. Such fee shall only be established by an act of~~  
12 ~~the legislature and no other authority is established by law or otherwise to~~  
13 ~~collect a fee. On and after July 1, 2015, through June 30, 2017, the~~  
14 ~~supreme court may impose an additional charge, not to exceed \$19 per~~  
15 ~~docket fee, to fund the costs of non-judicial personnel.~~

16 (b) *Poverty affidavit; additional court costs; exemptions for the state*  
17 *and municipalities.* The provisions of K.S.A. 60-2001(b), (c) and (d) and  
18 60-2005, and amendments thereto, shall be applicable to lawsuits brought  
19 under the code of civil procedure for limited actions.

20 Sec. 28. K.S.A. 2015 Supp. 65-409 is hereby amended to read as  
21 follows: 65-409. ~~(a)~~ The clerk of the district court shall charge a fee of \$14  
22 for entering and filing a lien statement under this act.

23 ~~(b) Except as provided further, the lien fee established in subsection~~  
24 ~~(a) shall be the only fee collected or moneys in the nature of a fee collected~~  
25 ~~for such lien. Such fee shall only be established by an act of the legislature~~  
26 ~~and no other authority is established by law or otherwise to collect a fee.~~  
27 ~~On and after July 1, 2015, through June 30, 2017, the supreme court may~~  
28 ~~impose an additional charge, not to exceed \$22 per lien fee, to fund the~~  
29 ~~costs of non-judicial personnel.~~

30 Sec. 29. K.S.A. 2013 Supp. 74-7325 is hereby revived and amended  
31 to read as follows: 74-7325. (a) There is hereby created in the state  
32 treasury the protection from abuse fund. All moneys credited to the fund  
33 shall be used solely for the purpose of making grants to programs  
34 providing: (1) Temporary emergency shelter for adult victims of domestic  
35 abuse or sexual assault and their dependent children; (2) counseling and  
36 assistance to those victims and their children; or (3) educational services  
37 directed at reducing the incidence of domestic abuse or sexual assault and  
38 diminishing its impact on the victims. All moneys credited to the fund  
39 ~~pursuant to K.S.A. 20-367, and amendments thereto,~~ shall be used only for  
40 on-going operating expenses of domestic violence programs. All moneys  
41 credited to the fund pursuant to any increase in docket fees as provided by  
42 this act as described in K.S.A. ~~20-367~~ and 60-2001, and amendments  
43 thereto, shall not be awarded to programs until July 1, 2003, and shall be

1 used for ongoing operating expenses of domestic violence or sexual  
2 assault programs.

3 (b) All expenditures from the protection from abuse fund shall be  
4 made in accordance with appropriation acts upon warrants of the director  
5 of accounts and reports issued pursuant to vouchers approved by the  
6 attorney general or by a person or persons designated by the attorney  
7 general.

8 (c) The attorney general may apply for, receive and accept moneys  
9 from any source for the purposes for which moneys in the protection from  
10 abuse fund may be expended. Upon receipt of any such moneys, the  
11 attorney general shall remit the entire amount to the state treasurer in  
12 accordance with the provisions of K.S.A. 75-4215, and amendments  
13 thereto. Upon receipt of each such remittance, the state treasurer shall  
14 deposit the entire amount in the state treasury to the credit of the protection  
15 from abuse fund.

16 (d) Grants made to programs pursuant to this section shall be based  
17 on the numbers of persons served by the program and shall be made only  
18 to the city of Wichita or to agencies which are engaged, as their primary  
19 function, in programs aimed at preventing domestic violence or sexual  
20 assault or providing residential services or facilities to family or household  
21 members who are victims of domestic violence or sexual assault. In order  
22 for programs to qualify for funding under this section, they must:

23 (1) Meet the requirements of section 501(c) of the internal revenue  
24 code of 1986;

25 (2) be registered and in good standing as a nonprofit corporation;

26 (3) meet normally accepted standards for nonprofit organizations;

27 (4) have trustees who represent the racial, ethnic and socioeconomic  
28 diversity of the county or counties served;

29 (5) have received 50% or more of their funds from sources other than  
30 funds distributed through the fund, which other sources may be public or  
31 private and may include contributions of goods or services, including  
32 materials, commodities, transportation, office space or other types of  
33 facilities or personal services;

34 (6) demonstrate ability to successfully administer programs;

35 (7) make available an independent certified audit of the previous  
36 year's financial records;

37 (8) have obtained appropriate licensing or certification, or both;

38 (9) serve a significant number of residents of the county or counties  
39 served;

40 (10) not unnecessarily duplicate services already adequately provided  
41 to county residents; and

42 (11) agree to comply with reporting requirements of the attorney  
43 general.

1 The attorney general may adopt rules and regulations establishing  
2 additional standards for eligibility and accountability for grants made  
3 pursuant to this section.

4 (e) As used in this section:

5 (1) "Domestic abuse" means abuse as defined by the protection from  
6 abuse act (, K.S.A. 60-3101 et seq., and amendments thereto).

7 (2) "Sexual assault" means acts defined in article 35 of chapter 21 of  
8 the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter  
9 21 of the Kansas Statutes Annotated, or K.S.A. ~~2013~~ 2015 Supp. 21-6419  
10 through 21-6421, and amendments thereto.

11 (f) On or before the 10<sup>th</sup> day of each month, the director of accounts  
12 and reports shall transfer from the state general fund to the protection from  
13 abuse fund interest earnings based on:

14 (1) The average daily balance of moneys in the protection from abuse  
15 fund for the preceding month; and

16 (2) the net earnings rate for the pooled money investment portfolio  
17 for the preceding month.

18 Sec. 30. K.S.A. 2013 Supp. 74-7334 is hereby revived and amended  
19 to read as follows: 74-7334. (a) There is hereby created in the state  
20 treasury the crime victims assistance fund. All moneys credited to the fund  
21 pursuant to K.S.A. 12-4117, 19-101e; ~~and 19-4707 and 20-367~~, and  
22 amendments thereto, shall be used solely for the purpose of making grants  
23 for on-going operating expenses of programs, including court-appointed  
24 special advocate programs, providing: (1) Temporary emergency shelter  
25 for victims of child abuse and neglect; (2) counseling and assistance to  
26 those victims; or (3) educational services directed at reducing the  
27 incidence of child abuse and neglect and diminishing its impact on the  
28 victim. The remainder of moneys credited to the fund shall be used for the  
29 purpose of supporting the operation of state agency programs which  
30 provide services to the victims of crime and making grants to existing  
31 programs or to establish and maintain new programs providing services to  
32 the victims of crime.

33 (b) All expenditures from the crime victims assistance fund shall be  
34 made in accordance with appropriations acts upon warrants of the director  
35 of accounts and reports issued pursuant to vouchers approved by the  
36 attorney general or by a person or persons designated by the attorney  
37 general.

38 (c) The attorney general may apply for, receive and accept moneys  
39 from any source for the purposes for which moneys in the crime victims  
40 assistance fund may be expended. Upon receipt of any such moneys, the  
41 attorney general shall remit the entire amount to the state treasurer in  
42 accordance with the provisions of K.S.A. 75-4215, and amendments  
43 thereto. Upon receipt of each such remittance, the state treasurer shall

1 deposit the entire amount in the state treasury to the credit of the crime  
2 victims assistance fund.

3 (d) Grants made to programs with funds derived from K.S.A. 12-  
4 4117, 19-101e; and 19-4707 ~~and 20-367~~, and amendments thereto, shall be  
5 based on the numbers of persons served by the program and shall be made  
6 only to programs aimed at preventing child abuse and neglect or providing  
7 residential services or facilities to victims of child abuse or neglect. In  
8 order for programs to qualify for funding under this section, they must:

9 (1) Meet the requirements of section 501(c) of the internal revenue  
10 code of 1986;

11 (2) be registered and in good standing as a nonprofit corporation;

12 (3) meet normally accepted standards for nonprofit organizations;

13 (4) have trustees who represent the racial, ethnic and socioeconomic  
14 diversity of the county or counties served;

15 (5) have received 50% or more of their funds from sources other than  
16 funds distributed through the fund, which other sources may be public or  
17 private and may include contributions of goods or services, including  
18 materials, commodities, transportation, office space or other types of  
19 facilities or personal services;

20 (6) demonstrate ability to successfully administer programs;

21 (7) make available an independent certified audit of the previous  
22 year's financial records;

23 (8) have obtained appropriate licensing or certification, or both;

24 (9) serve a significant number of residents of the county or counties  
25 served;

26 (10) not unnecessarily duplicate services already adequately provided  
27 to county residents; and

28 (11) agree to comply with reporting requirements of the attorney  
29 general.

30 The attorney general may adopt rules and regulations establishing  
31 additional standards for eligibility and accountability for grants made  
32 pursuant to this section.

33 (e) All moneys credited to the fund pursuant to K.S.A. ~~2013~~ 2015  
34 Supp. 23-2510, and amendments thereto, shall be set aside to use as  
35 matching funds for meeting any federal requirement for the purpose of  
36 establishing child exchange and visitation centers as provided in K.S.A.  
37 75-720, and amendments thereto. If no federal funds are made available to  
38 the state for the purpose of establishing such child exchange and visitation  
39 centers, then such moneys may be used as otherwise provided in this  
40 section. Only those moneys credited to the fund pursuant to K.S.A. ~~2013~~  
41 2015 Supp. 23-2510, and amendments thereto, may be used for such  
42 matching funds. No state general fund moneys shall be used for such  
43 matching funds.



1       Sec. 31. K.S.A. 2013 Supp. 75-7021 is hereby revived and amended  
2 to read as follows: 75-7021. (a) There is hereby created in the state  
3 treasury the Kansas juvenile delinquency prevention trust fund. Money  
4 credited to the Kansas juvenile delinquency prevention trust fund ~~pursuant~~  
5 ~~to K.S.A. 20-367, and amendments thereto, or by any other lawful means~~  
6 shall be used solely for the purpose of making grants to further the purpose  
7 of juvenile justice reform, including rational prevention programs and  
8 programs for treatment and rehabilitation of juveniles and to further the  
9 partnership between state and local communities. Such treatment and  
10 rehabilitation programs should aim to combine accountability and  
11 sanctions with increasingly intensive treatment and rehabilitation services  
12 with an aim to provide greater public safety and provide intervention that  
13 will be uniform and consistent.

14       (b) All expenditures from the Kansas juvenile delinquency prevention  
15 trust fund shall be made in accordance with appropriations acts upon  
16 warrants of the director of accounts and reports issued pursuant to  
17 vouchers approved by the ~~commissioner of juvenile justice~~ *secretary of*  
18 *corrections* or by a person or persons designated by the ~~commissioner~~  
19 *secretary*.

20       (c) The ~~commissioner of juvenile justice~~ *secretary of corrections* may  
21 apply for, receive and accept money from any source for the purposes for  
22 which money in the Kansas juvenile delinquency prevention trust fund  
23 may be expended. Upon receipt of any such money, the ~~commissioner~~  
24 *secretary* shall remit the entire amount to the state treasurer in accordance  
25 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon  
26 receipt of each such remittance, the state treasurer shall deposit the entire  
27 amount in the state treasury to the credit of the Kansas juvenile  
28 delinquency prevention trust fund.

29       (d) Grants made to programs pursuant to this section shall be based  
30 on the number of persons to be served and such other requirements as may  
31 be established by the Kansas advisory group on juvenile justice and  
32 delinquency prevention in guidelines established and promulgated to  
33 regulate grants made under authority of this section. The guidelines may  
34 include requirements for grant applications, organizational characteristics,  
35 reporting and auditing criteria and such other standards for eligibility and  
36 accountability as are deemed advisable by the Kansas advisory group on  
37 juvenile justice and delinquency prevention.

38       (e) On or before the 10<sup>th</sup> of each month, the director of accounts and  
39 reports shall transfer from the state general fund to the Kansas juvenile  
40 delinquency prevention trust fund interest earnings based on:

41       (1) The average daily balance of moneys in the Kansas juvenile  
42 delinquency prevention trust fund for the preceding month; and

43       (2) the net earnings rate of the pooled money investment portfolio for

1 the preceding month.

2 (f) On and after the effective date of this act, the Kansas endowment  
3 for youth trust fund created by this section prior to amendment by this act  
4 is hereby redesignated as the Kansas juvenile delinquency prevention trust  
5 fund. On and after the effective date of this act, whenever the Kansas  
6 endowment for youth trust fund created by this section prior to amendment  
7 by this act, or words of like effect, is referred to or designated by a statute,  
8 contract or other document such reference or designation shall be deemed  
9 to apply to the Kansas juvenile delinquency prevention trust fund.

10 Sec. 32. K.S.A. 5-517, as revived by section 3 of this act, 5-517, as  
11 amended by section 5 of chapter 82 of the 2014 Session Laws of Kansas,  
12 20-166, as revived by section 6 of this act, and 20-166, as amended by  
13 section 8 of chapter 82 of the 2014 Session Laws of Kansas; K.S.A. 2013  
14 Supp. 20-1a04, as revived by section 5 of this act, 20-1a04, as amended by  
15 section 6 of chapter 82 of the 2014 Session Laws of Kansas, 20-367, 21-  
16 6614d, 28-172b, as revived by section 6 of this act, 28-172b, as amended  
17 by section 28 of chapter 82 of the 2014 Session Laws of Kansas, 38-  
18 2312c, 60-2001b, 74-7325, as revived by section 29 of this act, 74-7325,  
19 as amended by section 38 of chapter 82 of the 2014 Session Laws of  
20 Kansas, 74-7334, as revived by section 30 of this act, 74-7334, as  
21 amended by section 39 of chapter 82 of the 2014 Session Laws of Kansas,  
22 75-7021, as revived by section 31 of this act, and 75-7021, as amended by  
23 section 42 of chapter 82 of the 2014 Session Laws of Kansas; and K.S.A.  
24 2015 Supp. 8-2107, 20-1a16, 20-1a17, 20-1a18, 20-362, 20-3021, 21-  
25 6614, 21-6614f, 22-2410, 23-2510, 28-170, 28-170a, 28-172a, 28-177, 28-  
26 178, 28-179, 32-1049a, 38-2215, 38-2312, 38-2314, 59-104, 60-729, 60-  
27 2001, 60-2008, 60-2203a, 61-2704, 61-4001 and 65-409 are hereby  
28 repealed.

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