

As Amended by Senate Committee

Session of 2007

SENATE BILL No. 17

By Special Committee on Judiciary

1-5

10 AN ACT concerning docket fees; amending ~~K.S.A. 74-7325 and 74-7334~~
11 ~~and~~ K.S.A. 2006 Supp. 20-362, 20-367, 28-170, 28-172a, 28-172b, 59-
12 104, ~~60-1621, 75-5670 and 75-7021~~ **and 60-1621** and repealing the
13 existing sections; also repealing K.S.A. 2006 Supp. 28-170c, 28-170d,
14 28-170e, 28-172e, 28-172f, 59-104, as amended by section 18 of chap-
15 ter 210 of the 2006 Session Laws of Kansas, 59-104a and 60-1621a.

16

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

18 Section 1. K.S.A. 2006 Supp. 20-362 is hereby amended to read as
19 follows: 20-362. The clerk of the district court shall remit all revenues
20 received from docket fees as follows:

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

23 (1) A sum equal to \$10 for each docket fee paid pursuant to K.S.A.
24 60-2001 and 60-3005, and amendments thereto, during the preceding
25 calendar month;

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

29 (3) a sum equal to \$5 for each \$26 docket fee paid pursuant to K.S.A.
30 61-4001 or K.S.A. 61-2704, and amendments thereto, during the preced-
31 ing calendar month.

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

35 (c) At least monthly to the county treasurer, for deposit in the county
36 treasury and credit to the prosecuting attorneys' training fund, a sum
37 equal to \$1 for each docket fee paid pursuant to K.S.A. 28-172a, and
38 amendments thereto, during the preceding calendar month for cases filed
39 in the county and for each fee paid pursuant to subsection (c) of K.S.A.
40 28-170, and amendments thereto, during the preceding calendar month
41 for cases filed in the county.

42 ~~(d) To the state treasurer, in accordance with the provisions of K.S.A.~~
43 ~~75-4215, and amendments thereto, for deposit in the state treasury and~~

1 credit to the indigents' defense services fund, a sum equal to \$.50 for
 2 each docket fee paid pursuant to K.S.A. 28-172a and subsection (d) of
 3 K.S.A. 28-170, and amendments thereto, during the preceding calendar
 4 month.

5 ~~—(c) To the state treasurer, in accordance with the provisions of K.S.A.~~
 6 ~~75-4215, and amendments thereto, for deposit in the state treasury and~~
 7 ~~credit to the law enforcement training center fund a sum equal to \$15~~
 8 ~~for each docket fee paid pursuant to K.S.A. 28-172a, and amendments~~
 9 ~~thereto, during the preceding calendar month.~~

10 ***(d) To the state treasurer, in accordance with the provisions of***
 11 ***K.S.A. 75-4215, and amendments thereto, for deposit in the state***
 12 ***treasury and credit to the indigents' defense services fund, a sum***
 13 ***equal to \$.50 for each docket fee paid pursuant to K.S.A. 28-172a***
 14 ***and subsection (d) of K.S.A. 28-170, and amendments thereto, dur-***
 15 ***ing the preceding calendar month.***

16 ***(e) To the state treasurer, in accordance with the provisions of***
 17 ***K.S.A. 75-4215, and amendments thereto, for deposit in the state***
 18 ***treasury and credit to the law enforcement training center fund a***
 19 ***sum equal to \$15 for each docket fee paid pursuant to K.S.A. 28-***
 20 ***172a, and amendments thereto, during the preceding calendar***
 21 ***month.***

22 ***(f) Prior to any of the moneys credited to each fund in subsec-***
 23 ***tion (d) or (e) being appropriated during any regular legislative***
 24 ***session for the ensuing fiscal year, the agency administering such***
 25 ***fund shall provide to the committee on ways and means of the senate***
 26 ***and the committee on appropriations of the house of***
 27 ***representatives:***

28 ***(1) A detailed explanation of how such moneys in the fund are***
 29 ***being expended in the current fiscal year;***

30 ***(2) a detailed explanation of how such moneys will be expended***
 31 ***in the next fiscal year; and***

32 ***(3) justification for such fund to continue to receive moneys***
 33 ***from docket fees.***

34 ~~—(f) (d) (g)~~ To the state treasurer, in accordance with the provisions
 35 of K.S.A. 75-4215, and amendments thereto, for deposit in the state treas-
 36 ury and distribution according to K.S.A. 20-367, and amendments
 37 thereto, a sum equal to the balance which remains from all docket fees
 38 paid during the preceding calendar month after deduction of the amounts
 39 specified in subsections (a), (b), ~~(c), (d) and (e)~~ **and (c), (d) and (e).**

40 Sec. 2. K.S.A. 2006 Supp. 20-367 is hereby amended to read as fol-
 41 lows: 20-367. (a) On and after July 1, 2006 through June 30, 2010, of the
 42 remittance of the balance of docket fees received by the state treasurer
 43 from clerks of the district court pursuant to subsection ~~(f) (d)~~ **(g)** of K.S.A.

1 20-362, and amendments thereto, the state treasurer shall deposit and
2 credit to the judicial performance fund, a sum equal to ~~3.54%~~ of the
3 remittances of docket fees, to the access to justice fund, a sum equal to
4 ~~4.92%~~ of the remittances of docket fees, to the juvenile detention facilities
5 fund, a sum equal to ~~2.73%~~ of the remittances of docket fees, to the
6 judicial branch education fund, the state treasurer shall deposit and credit
7 a sum equal to ~~2.10%~~ of the remittances of docket fees, to the crime
8 victims assistance fund, the state treasurer shall deposit and credit a sum
9 equal to ~~.56%~~ of the remittances of the docket fees, to the protection
10 from abuse fund, the state treasurer shall deposit and credit a sum equal
11 to ~~2.68%~~ of the remittances of the docket fees, to the judiciary technology
12 fund, the state treasurer shall deposit and credit a sum equal to ~~4.25%~~ of
13 the remittances of docket fees, to the dispute resolution fund, the state
14 treasurer shall deposit and credit a sum equal to ~~.34%~~ of the remittances
15 of docket fees, to the Kansas juvenile delinquency prevention trust fund,
16 the state treasurer shall deposit and credit a sum equal to ~~1.24%~~ of the
17 remittances of docket fees, to the permanent families account in the fam-
18 ily and children investment fund, the state treasurer shall deposit and
19 credit a sum equal to ~~.21%~~ of the remittances of docket fees, to the trauma
20 fund, a sum equal to ~~1.48%~~ of the remittance of docket fees, to the judicial
21 council fund, a sum equal to ~~1.11%~~ of the remittance of docket fees, to
22 the child exchange and visitation centers fund, a sum equal to ~~.67%~~ of
23 the remittance of docket fees, and to the judicial branch nonjudicial salary
24 initiative fund, the state treasurer shall deposit and credit a sum equal to
25 ~~17.85%~~ of the remittance of docket fees. The balance remaining of the
26 remittances of docket fees shall be deposited and credited to the state
27 general fund.

28 ~~—(b) On and after July 1, 2010, of the remittance of the balance of~~
29 ~~docket fees received by the state treasurer from clerks of the district court~~
30 ~~pursuant to subsection (f) of K.S.A. 20-362, and amendments thereto, the~~
31 ~~state treasurer shall deposit and credit to the access to justice fund, a sum~~
32 ~~equal to 5.10% of the remittances of docket fees, to the juvenile detention~~
33 ~~facilities fund, a sum equal to 2.83% of the remittances of docket fees;~~
34 ~~to the judicial branch education fund, the state treasurer shall deposit~~
35 ~~and credit a sum equal to 2.18% of the remittances of docket fees, to the~~
36 ~~crime victims assistance fund, the state treasurer shall deposit and credit~~
37 ~~a sum equal to .58% of the remittances of the docket fees, to the protec-~~
38 ~~tion from abuse fund, the state treasurer shall deposit and credit a sum~~
39 ~~equal to 2.78% of the remittances of the docket fees, to the judiciary~~
40 ~~technology fund, the state treasurer shall deposit and credit a sum equal~~
41 ~~to 4.41% of the remittances of docket fees, to the dispute resolution fund;~~
42 ~~the state treasurer shall deposit and credit a sum equal to .35% of the~~
43 ~~remittances of docket fees, to the Kansas juvenile delinquency prevention~~

1 trust fund, the state treasurer shall deposit and credit a sum equal to
 2 ~~1.29%~~ of the remittances of docket fees, to the permanent families ac-
 3 count in the family and children investment fund, the state treasurer shall
 4 deposit and credit a sum equal to ~~.22%~~ of the remittances of docket fees;
 5 to the trauma fund, a sum equal to ~~1.53%~~ of the remittance of docket
 6 fees; to the judicial council fund, a sum equal to ~~1.15%~~ of the remittance
 7 of docket fees; to the child exchange and visitation centers fund, a sum
 8 equal to ~~.69%~~ of the remittance of docket fees; and to the judicial branch
 9 nonjudicial salary initiative fund, the state treasurer shall deposit and
 10 credit a sum equal to ~~18.51%~~ of the remittance of docket fees. The bal-
 11 ance remaining of the remittances of docket fees shall be deposited and
 12 credited to the state general fund *an amount equal to:*

- 13 (1) 3.54% to the judicial performance fund;
- 14 (2) 2.10% to the judicial branch education fund;
- 15 (3) 4.25% to the judiciary technology fund;
- 16 (4) 0.34% to the dispute resolution fund;
- 17 (5) 17.85% to the judicial branch nonjudicial salary initiative fund;
- 18 (6) 1.11% to the judicial council fund;
- 19 (7) 4.92% to the access to justice fund; ~~and~~
- 20 (8) **2.73% to the juvenile detention facilities fund;**
- 21 (9) **0.56% to the crime victims assistance fund;**
- 22 (10) **1.24% to the Kansas juvenile delinquency prevention trust**
 23 **fund;**
- 24 (11) **0.21% to the permanent families account in the family and**
 25 **children investment fund;**
- 26 (12) **1.48% to the trauma fund;**
- 27 (13) **0.67% to the child exchange and visitation centers fund;**
- 28 (14) **2.68% to the protection from abuse fund; and**
- 29 ~~(15) the balance to the state general fund.~~

30 (b) On and after July 1, 2010, of the remittance of the balance of
 31 docket fees received by the state treasurer from clerks of the district court
 32 pursuant to subsection ~~(d)~~ (g) of K.S.A. 20-362, and amendments thereto,
 33 the state treasurer shall deposit and credit an amount equal to:

- 34 (1) 2.18% to the judicial branch education fund;
- 35 (2) 4.41% to the judiciary technology fund;
- 36 (3) 0.35% to the dispute resolution fund;
- 37 (4) 18.51% to the judicial branch nonjudicial salary initiative fund;
- 38 (5) 1.15% to the judicial council fund;
- 39 (6) 5.10% to the access to justice fund; ~~and~~
- 40 (7) **2.83% to the juvenile detention facilities fund;**
- 41 (8) **0.58% to the crime victims assistance fund;**
- 42 (9) **2.78% to the protection from abuse fund;**
- 43 (10) **1.29% to the Kansas juvenile delinquency prevention trust**

- 1 *fund;*
- 2 **(11) 0.22% to the permanent families account in the family and**
- 3 **children investment fund;**
- 4 **(12) 1.53% to the trauma fund;**
- 5 **(13) 0.69% to the child exchange and visitation centers fund;**
- 6 **and**
- 7 ~~(7)~~ **(14) the balance to the state general fund.**
- 8 **(c) Prior to any moneys credited to each fund in paragraphs (8)**
- 9 **through (14) of subsection (a) and paragraphs (7) through (13) of**
- 10 **subsection (b) being appropriated during any regular legislative**
- 11 **session for the ensuing fiscal year, the agency administering such**
- 12 **fund shall provide the committee on ways and means of the senate**
- 13 **and the committee on appropriations of the house of**
- 14 **representatives:**
- 15 **(1) A detailed explanation of how such moneys are being ex-**
- 16 **pended in the current fiscal year;**
- 17 **(2) a detailed explanation of how such moneys will be expended**
- 18 **in the next fiscal year; and**
- 19 **(3) justification for such fund to continue to receive moneys**
- 20 **from docket fees.**

21 Sec. 3. K.S.A. 2006 Supp. 28-170 is hereby amended to read as fol-
 22 lows: 28-170. (a) The docket fee prescribed by K.S.A. 60-2001 and
 23 amendments thereto and the fees for service of process, shall be the only
 24 costs assessed for services of the clerk of the district court and the sheriff
 25 in any case filed under chapter 60 or chapter 61 of the Kansas Statutes
 26 Annotated, and amendments thereto, except that no fee shall be charged
 27 for an action filed under K.S.A. 60-3101 et seq., and under K.S.A. 60-
 28 31a01 et seq., and amendments thereto. For services in other matters in
 29 which no other fee is prescribed by statute, the following fees shall be
 30 charged and collected by the clerk. Only one fee shall be charged for each
 31 bond, lien or judgment:

- 32 1. For filing, entering and releasing a bond, mechanic's lien, notice of intent to
- 33 perform, personal property tax judgment or any judgment on which execution
- 34 process cannot be issued \$5
- 35 2. For filing, entering and releasing a judgment of a court of this state on which
- 36 execution or other process can be issued \$15
- 37 3. For a certificate, or for copying or certifying any paper or writ, such fee as shall
- 38 be prescribed by the district court.

39 (b) The fees for entries, certificates and other papers required in
 40 naturalization cases shall be those prescribed by the federal government
 41 and, when collected, shall be disbursed as prescribed by the federal gov-
 42 ernment. The clerk of the court shall remit to the state treasurer at least
 43 monthly all moneys received from fees prescribed by subsection (a) or

1 (b) or received for any services performed which may be required by law.
 2 The state treasurer shall deposit the remittance in the state treasury and
 3 credit the entire amount to the state general fund.

4 (c) In actions pursuant to the *revised* Kansas code for care of children
 5 (K.S.A. ~~38-1501~~ 2006 *Supp.* 38-2201 et seq. and amendments thereto),
 6 the *revised* Kansas juvenile justice code (K.S.A. ~~38-1601~~ 2006 *Supp.* 38-
 7 2301 et seq. and amendments thereto), the act for treatment of alcoholism
 8 (K.S.A. 65-4001 et seq. and amendments thereto), the act for treatment
 9 of drug abuse (K.S.A. 65-5201 et seq. and amendments thereto) or the
 10 care and treatment act for mentally ill persons (K.S.A. 59-2945 et seq.
 11 and amendments thereto), the clerk shall charge an additional fee of \$1
 12 which shall be deducted from the docket fee and credited to the prose-
 13 cuting attorneys' training fund as provided in K.S.A. 28-170a and amend-
 14 ments thereto.

15 (d) ~~In actions pursuant to the Kansas code for care of children (K.S.A.~~
 16 ~~38-1501 et seq. and amendments thereto), the Kansas juvenile justice~~
 17 ~~code (K.S.A. 38-1601 et seq. and amendments thereto), the act for treat-~~
 18 ~~ment of alcoholism (K.S.A. 65-4001 et seq. and amendments thereto),~~
 19 ~~the act for treatment of drug abuse (K.S.A. 65-5201 et seq. and amend-~~
 20 ~~ments thereto) or the care and treatment act for mentally ill persons~~
 21 ~~(K.S.A. 59-2945 et seq. and amendments thereto), the clerk shall charge~~
 22 ~~an additional fee of \$.50 which shall be deducted from the docket fee~~
 23 ~~and credited to the indigents' defense services fund as provided in K.S.A.~~
 24 ~~28-172b and amendments thereto.~~ ***In actions pursuant to the revised***
 25 ***Kansas code for care of children (K.S.A. 2006 Supp. 38-2201 et seq.,***
 26 ***and amendments thereto), the revised Kansas juvenile justice code***
 27 ***(K.S.A. 2006 Supp. 38-2301 et seq., and amendments thereto), the***
 28 ***act for treatment of alcoholism (K.S.A. 65-4001 et seq., and amend-***
 29 ***ments thereto), the act for treatment of drug abuse (K.S.A. 65-5201***
 30 ***et seq., and amendments thereto), or the care and treatment act for***
 31 ***mentally ill persons (K.S.A. 59-2945 et seq., and amendments***
 32 ***thereto), the clerk shall charge an additional fee of \$.50 which shall***
 33 ***be deducted from the docket fee and credited to the indigents' de-***
 34 ***fense services fund as provided in K.S.A. 28-172b, and amendments***
 35 ***thereto.***

36 ~~(e)~~ (e) The bond, lien or judgment fee established in subsection (a)
 37 shall be the only fee collected or moneys in the nature of a fee collected
 38 for such bond, lien or judgment. Such fee shall only be established by an
 39 act of the legislature and no other authority is established by law or oth-
 40 erwise to collect a fee.

41 Sec. 4. K.S.A. 2006 Supp. 28-172a is hereby amended to read as
 42 follows: 28-172a. (a) Except as otherwise provided in this section, when-
 43 ever the prosecuting witness or defendant is adjudged to pay the costs in

1 a criminal proceeding in any county, a docket fee shall be taxed as follows:

2 (1) On and after July 1, 2006 through June 30, 2010:

3 Murder or manslaughter.....	\$172.50
4 Other felony.....	163.00
5 Misdemeanor.....	128.00
6 Forfeited recognizance	64.50
7 Appeals from other courts.....	64.50

8 (2) On and after July 1, 2010:

9 Murder or manslaughter.....	\$170.50
10 Other felony.....	161.00
11 Misdemeanor.....	126.00
12 Forfeited recognizance	62.50
13 Appeals from other courts.....	62.50

14 (b) (1) Except as provided in paragraph (2), in actions involving the
15 violation of any of the laws of this state regulating traffic on highways
16 (including those listed in subsection (c) of K.S.A. 8-2118, and amend-
17 ments thereto), a cigarette or tobacco infraction, any act declared a crime
18 pursuant to the statutes contained in chapter 32 of Kansas Statutes An-
19 notated and amendments thereto or any act declared a crime pursuant
20 to the statutes contained in article 8 of chapter 82a of the Kansas Statutes
21 Annotated, and amendments thereto, whenever the prosecuting witness
22 or defendant is adjudged to pay the costs in the action, on and after July
23 1, 2006 through June 30, 2010, a docket fee of \$66 shall be charged, and
24 on and after July 1, 2010, a docket fee of \$64 shall be charged. When an
25 action is disposed of under subsections (a) and (b) of K.S.A. 8-2118 or
26 subsection (f) of K.S.A. 79-3393, and amendments thereto, whether by
27 mail or in person, on and after July 1, 2006 through June 30, 2010, the
28 docket fee to be paid as court costs shall be \$66, *and on* and after July 1,
29 2010, the docket fee to be paid as court costs shall be \$64.

30 (2) In actions involving the violation of a moving traffic violation un-
31 der K.S.A. 8-2118, and amendments thereto, as defined by rules and
32 regulations adopted under K.S.A. 8-249, and amendments thereto, when-
33 ever the prosecuting witness or defendant is adjudged to pay the costs in
34 the action, on and after July 1, 2006 through June 30, 2010, a docket fee
35 of \$66 shall be charged, and on and after July 1, 2010, a docket fee of
36 \$64 shall be charged. When an action is disposed of under subsection (a)
37 and (b) of K.S.A. 8-2118, and amendments thereto, whether by mail or
38 in person, on and after July 1, 2006 through June 30, 2010, the docket
39 fee to be paid as court costs shall be \$66, and on and after July 1, 2010,
40 the docket fee to be paid as court costs shall be \$64.

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

1 defendants shall each pay one fee.

2 (d) Statutory charges for law library funds, ~~the law enforcement training center fund,~~ **the law enforcement training center fund**, the prosecuting attorneys' training fund, ~~the juvenile detention facilities fund,~~ **the juvenile detention facilities fund**, the judicial branch education fund, ~~the emergency medical services operating fund,~~ **the emergency medical services operating fund** and the judiciary technology fund shall be paid from the docket fee; ~~the family violence and child abuse and neglect assistance and prevention fund fee shall be paid from criminal proceedings docket fees,~~ **the family violence and child abuse and neglect assistance and prevention fund fee shall be paid from criminal proceedings docket fees**. All other fees and expenses to be assessed as additional court costs shall be approved by the court, unless specifically fixed by statute. Additional fees shall include, but are not limited to, fees for Kansas bureau of investigation forensic or laboratory analyses, fees for detention facility processing pursuant to K.S.A. 12-16,119, and amendments thereto, fees for the sexual assault evidence collection kit, fees for conducting an examination of a sexual assault victim, fees for service of process outside the state, witness fees, fees for transcripts and depositions, costs from other courts, doctors' fees and examination and evaluation fees. No sheriff in this state shall charge any district court of this state a fee or mileage for serving any paper or process.

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

34 (f) *The docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee.*

38 Sec. 5. K.S.A. 2006 Supp. 28-172b is hereby amended to read as follows: 28-172b. (a) There is hereby established in the state treasury an indigents' defense services fund. ~~Such fund shall consist of all moneys deposited therein or transferred thereto according to law.~~

42 (b) ~~The clerk of the district court shall charge a fee of \$.50 in each criminal case, to be deducted from the docket fee as provided in K.S.A.~~

1 ~~28-172a, and amendments thereto, and shall charge a fee of \$.50 in each~~
 2 ~~case pursuant to the Kansas code for care of children or the revised Kan-~~
 3 ~~sas juvenile justice code and each mental illness, drug abuse or alcoholism~~
 4 ~~treatment action as provided by subsection (d) of K.S.A. 28-170, and~~
 5 ~~amendments thereto. The clerk of the district court shall remit all such~~
 6 ~~fees received to the state treasurer in accordance with the provisions of~~
 7 ~~K.S.A. 75-4215, and amendments thereto. Upon receipt of each such~~
 8 ~~remittance, the state treasurer shall deposit the entire amount in the state~~
 9 ~~treasury to the credit of the indigents' defense services fund.~~

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

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

29 Sec. 6. K.S.A. 2006 Supp. 59-104 is hereby amended to read as fol-
 30 lows: 59-104. (a) *Docket fee. (1)* Except as otherwise provided by law,
 31 no case shall be filed or docketed in the district court under the provisions
 32 of chapter 59 of the Kansas Statutes Annotated or of articles 40 and 52
 33 of chapter 65 of the Kansas Statutes Annotated without payment of an
 34 appropriate docket fee as follows:

35 ~~(A)~~ **(A)** On and after July 1, ~~2006~~ 2007 through June 30, 2010:

36	Treatment of mentally ill	\$27.50 \$50.00
37	Treatment of alcoholism or drug abuse.....	27.50
38	Determination of descent of property	42.50
39	Termination of life estate	41.50
40	Termination of joint tenancy	41.50
41	Refusal to grant letters of administration	41.50
42	Adoption.....	41.50
43	Filing a will and affidavit under K.S.A. 59-618a.....	41.50

1	Guardianship	62.50
2	Conservatorship	62.50
3	Trusteeship	62.50
4	Combined guardianship and conservatorship.....	62.50
5	Certified probate proceedings under K.S.A. 59-213, and amendments	
6	thereto	16.50
7	Decrees in probate from another state	101.50
8	Probate of an estate or of a will.....	102.50
9	Civil commitment under K.S.A. 59-29a01 et seq.....	26.50
10	(2) (B) On and after July 1, 2010:	
11	Treatment of mentally ill	\$25.50
12	Treatment of alcoholism or drug abuse.....	25.50
13	Determination of descent of property	40.50
14	Termination of life estate.....	39.50
15	Termination of joint tenancy	39.50
16	Refusal to grant letters of administration	39.50
17	Adoption.....	39.50
18	Filing a will and affidavit under K.S.A. 59-618a.....	39.50
19	Guardianship	60.50
20	Conservatorship	60.50
21	Trusteeship	60.50
22	Combined guardianship and conservatorship.....	60.50
23	Certified probate proceedings under K.S.A. 59-213, and amendments	
24	thereto	14.50
25	Decrees in probate from another state	99.50
26	Probate of an estate or of a will.....	100.50
27	Civil commitment under K.S.A. 59-29a01 et seq.....	24.50
28	(2) <i>The docket fee established in this subsection shall be the only fee</i>	
29	<i>collected or moneys in the nature of a fee collected for the docket fee. Such</i>	
30	<i>fee shall only be established by an act of the legislature and no other</i>	
31	<i>authority is established by law or otherwise to collect a fee.</i>	
32	(b) <i>Poverty affidavit in lieu of docket fee and exemptions.</i> The pro-	
33	visions of subsection (b) of K.S.A. 60-2001 and K.S.A. 60-2005, and	
34	amendments thereto, shall apply to probate docket fees prescribed by	
35	this section.	
36	(c) <i>Disposition of docket fee.</i> Statutory charges for the law library and	
37	for the prosecuting attorneys’ training fund shall be paid from the docket	
38	fee. The remainder of the docket fee shall be paid to the state treasurer	
39	in accordance with K.S.A. 20-362, and amendments thereto.	
40	(d) <i>Additional court costs.</i> Other fees and expenses to be assessed as	
41	additional court costs shall be approved by the court, unless specifically	
42	fixed by statute. Other fees shall include, but not be limited to, witness	
43	fees, appraiser fees, fees for service of process outside the state, fees for	

1 depositions, transcripts and publication of legal notice, executor or ad-
2 ministrator fees, attorney fees, court costs from other courts and any other
3 fees and expenses required by statute. All additional court costs shall be
4 taxed and billed against the parties or estate as directed by the court. No
5 sheriff in this state shall charge any district court in this state a fee or
6 mileage for serving any paper or process.

7 Sec. 7. K.S.A. 2006 Supp. 60-1621 is hereby amended to read as
8 follows: 60-1621. (a) No post-decree motion petitioning for a modification
9 or termination of separate maintenance, for a change in legal custody,
10 residency, visitation rights or parenting time, or for a modification of child
11 support shall be filed or docketed in the district court without payment
12 of a docket fee in the amount of \$33 on and after July 1, 2006 through
13 June 30, 2010, and \$31 on and after July 1, 2010, to the clerk of the
14 district court.

15 (b) A poverty affidavit may be filed in lieu of a docket fee as estab-
16 lished in K.S.A. 60-2001, and amendments thereto.

17 (c) The docket fee shall be the only costs assessed in each case for
18 services of the clerk of the district court and the sheriff. The docket fee
19 shall be disbursed in accordance with subsection (f) of K.S.A. 20-362, and
20 amendments thereto.

21 (d) *The docket fee established in this section shall be the only fee*
22 *collected or moneys in the nature of a fee collected for the docket fee. Such*
23 *fee 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 ~~Sec. 8. K.S.A. 74-7325 is hereby amended to read as follows: 74-~~
26 ~~7325. (a) There is hereby created in the state treasury the protection from~~
27 ~~abuse fund. All moneys credited to the fund shall be used solely for the~~
28 ~~purpose of making grants to programs providing: (1) Temporary emer-~~
29 ~~gency shelter for adult victims of domestic abuse or sexual assault and~~
30 ~~their dependent children; (2) counseling and assistance to those victims~~
31 ~~and their children; or (3) educational services directed at reducing the~~
32 ~~incidence of domestic abuse or sexual assault and diminishing its impact~~
33 ~~on the victims. All moneys credited to the fund pursuant to K.S.A. 20-~~
34 ~~367, and amendments thereto, shall be used only for on-going operating~~
35 ~~expenses of domestic violence programs. All moneys credited to the fund~~
36 ~~pursuant to any increase in docket fees as provided by this act as described~~
37 ~~in K.S.A. 20-367 and 60-2001, and amendments thereto, shall not be~~
38 ~~awarded to programs until July 1, 2003, and shall be used for ongoing~~
39 ~~operating expenses of domestic violence or sexual assault programs.~~

40 ~~—(b) All expenditures from the protection from abuse fund shall be~~
41 ~~made in accordance with appropriation acts upon warrants of the director~~
42 ~~of accounts and reports issued pursuant to vouchers approved by the~~
43 ~~attorney general or by a person or persons designated by the attorney~~

1 ~~general.~~

2 ~~—(c) The attorney general may apply for, receive and accept moneys~~
3 ~~from any source for the purposes for which moneys in the protection~~
4 ~~from abuse fund may be expended. Upon receipt of any such moneys,~~
5 ~~the attorney general shall remit the entire amount to the state treasurer~~
6 ~~in accordance with the provisions of K.S.A. 75-4215, and amendments~~
7 ~~thereto. Upon receipt of each such remittance, the state treasurer shall~~
8 ~~deposit the entire amount in the state treasury to the credit of the pro-~~
9 ~~tection from abuse fund.~~

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

17 ~~—(1) Meet the requirements of section 501(c) of the internal revenue~~
18 ~~code of 1986;~~

19 ~~—(2) be registered and in good standing as a nonprofit corporation;~~

20 ~~—(3) meet normally accepted standards for nonprofit organizations;~~

21 ~~—(4) have trustees who represent the racial, ethnic and socioeconomic~~
22 ~~diversity of the county or counties served;~~

23 ~~—(5) have received 50% or more of their funds from sources other than~~
24 ~~funds distributed through the fund, which other sources may be public~~
25 ~~or private and may include contributions of goods or services, including~~
26 ~~materials, commodities, transportation, office space or other types of fa-~~
27 ~~ilities or personal services;~~

28 ~~—(6) demonstrate ability to successfully administer programs;~~

29 ~~—(7) make available an independent certified audit of the previous~~
30 ~~year's financial records;~~

31 ~~—(8) have obtained appropriate licensing or certification, or both;~~

32 ~~—(9) serve a significant number of residents of the county or counties~~
33 ~~served;~~

34 ~~—(10) not unnecessarily duplicate services already adequately provided~~
35 ~~to county residents, and~~

36 ~~—(11) agree to comply with reporting requirements of the attorney~~
37 ~~general.~~

38 ~~—The attorney general may adopt rules and regulations establishing ad-~~
39 ~~ditional standards for eligibility and accountability for grants made pur-~~
40 ~~suant to this section.~~

41 ~~—(c) As used in this section:~~

42 ~~—(1) “Domestic abuse” means abuse as defined by the protection from~~
43 ~~abuse act (K.S.A. 60-3101 *et seq.*, and amendments thereto).~~

1 ~~—(2) “Sexual assault” means acts defined in article 35 of chapter 21 of~~
2 ~~the Kansas Statutes Annotated, and amendments thereto.~~
3 ~~—(f) On or before the 10th day of each month, the director of accounts~~
4 ~~and reports shall transfer from the state general fund to the protection~~
5 ~~from abuse fund interest earnings based on:~~
6 ~~—(1) The average daily balance of moneys in the protection from abuse~~
7 ~~fund for the preceding month; and~~
8 ~~—(2) the net earnings rate for the pooled money investment portfolio~~
9 ~~for the preceding month.~~
10 ~~—Sec. 9. K.S.A. 74-7334 is hereby amended to read as follows: 74-~~
11 ~~7334. (a) There is hereby created in the state treasury the crime victims~~
12 ~~assistance fund. All moneys credited to the fund pursuant to K.S.A. 12-~~
13 ~~4117, 19-101e, 19-4707 and 20-367 and 19-4707, and amendments~~
14 ~~thereto, shall be used solely for the purpose of making grants for on-going~~
15 ~~operating expenses of programs, including court-appointed special ad-~~
16 ~~vocate programs, providing: (1) Temporary emergency shelter for victims~~
17 ~~of child abuse and neglect; (2) counseling and assistance to those victims;~~
18 ~~or (3) educational services directed at reducing the incidence of child~~
19 ~~abuse and neglect and diminishing its impact on the victim. The remain-~~
20 ~~der of moneys credited to the fund shall be used for the purpose of~~
21 ~~supporting the operation of state agency programs which provide services~~
22 ~~to the victims of crime and making grants to existing programs or to~~
23 ~~establish and maintain new programs providing services to the victims of~~
24 ~~crime.~~
25 ~~—(b) All expenditures from the crime victims assistance fund shall be~~
26 ~~made in accordance with appropriations acts upon warrants of the direc-~~
27 ~~tor of accounts and reports issued pursuant to vouchers approved by the~~
28 ~~attorney general or by a person or persons designated by the attorney~~
29 ~~general.~~
30 ~~—(c) The attorney general may apply for, receive and accept moneys~~
31 ~~from any source for the purposes for which moneys in the crime victims~~
32 ~~assistance fund may be expended. Upon receipt of any such moneys, the~~
33 ~~attorney general shall remit the entire amount to the state treasurer in~~
34 ~~accordance with the provisions of K.S.A. 75-4215, and amendments~~
35 ~~thereto. Upon receipt of each such remittance, the state treasurer shall~~
36 ~~deposit the entire amount in the state treasury to the credit of the crime~~
37 ~~victims assistance fund.~~
38 ~~—(d) Grants made to programs with funds derived from K.S.A. 12-~~
39 ~~4117, 19-101e, 19-4707 and 20-367 and 19-4707, and amendments~~
40 ~~thereto, shall be based on the numbers of persons served by the program~~
41 ~~and shall be made only to programs aimed at preventing child abuse and~~
42 ~~neglect or providing residential services or facilities to victims of child~~
43 ~~abuse or neglect. In order for programs to qualify for funding under this~~

1 section, they must:

2 ~~—(1) Meet the requirements of section 501(c) of the internal revenue~~
3 ~~code of 1986;~~

4 ~~—(2) be registered and in good standing as a nonprofit corporation;~~
5 ~~—(3) meet normally accepted standards for nonprofit organizations;~~
6 ~~—(4) have trustees who represent the racial, ethnic and socioeconomic~~
7 ~~diversity of the county or counties served;~~
8 ~~—(5) have received 50% or more of their funds from sources other than~~
9 ~~funds distributed through the fund, which other sources may be public~~
10 ~~or private and may include contributions of goods or services, including~~
11 ~~materials, commodities, transportation, office space or other types of fa-~~
12 ~~cilities or personal services;~~
13 ~~—(6) demonstrate ability to successfully administer programs;~~
14 ~~—(7) make available an independent certified audit of the previous~~
15 ~~year's financial records;~~
16 ~~—(8) have obtained appropriate licensing or certification, or both;~~
17 ~~—(9) serve a significant number of residents of the county or counties~~
18 ~~served;~~
19 ~~—(10) not unnecessarily duplicate services already adequately provided~~
20 ~~to county residents, and~~
21 ~~—(11) agree to comply with reporting requirements of the attorney~~
22 ~~general.~~

23 ~~—The attorney general may adopt rules and regulations establishing ad-~~
24 ~~ditional standards for eligibility and accountability for grants made pur-~~
25 ~~suant to this section.~~

26 ~~—(c) All moneys credited to the fund pursuant to K.S.A. 23-108a, and~~
27 ~~amendments thereto, shall be set aside to use as matching funds for meet-~~
28 ~~ing any federal requirement for the purpose of establishing child~~
29 ~~exchange and visitation centers as provided in K.S.A. 75-720, and amend-~~
30 ~~ments thereto. If no federal funds are made available to the state for the~~
31 ~~purpose of establishing such child exchange and visitation centers, then~~
32 ~~such moneys may be used as otherwise provided in this section. Only~~
33 ~~those moneys credited to the fund pursuant to K.S.A. 23-108a, and~~
34 ~~amendments thereto, may be used for such matching funds. No state~~
35 ~~general fund moneys shall be used for such matching funds.~~

36 ~~—Sec. 10. K.S.A. 2006 Supp. 75-5670 is hereby amended to read as~~
37 ~~follows: 75-5670. (a) There is hereby established in the state treasury the~~
38 ~~trauma fund which shall be administered by the secretary of health and~~
39 ~~environment. All moneys received from fees collected under K.S.A. 12-~~
40 ~~4117 and 28-172a, and amendments thereto, for the purpose of financing~~
41 ~~the activities and expenses of the secretary in administration of K.S.A.~~
42 ~~2006 Supp. 75-5663 to 75-5670, inclusive, and amendments thereto, re-~~
43 ~~gional trauma councils, and the trauma registry, shall be remitted to the~~

1 ~~state treasurer in accordance with the provisions of K.S.A. 75-4215, and~~
2 ~~amendments thereto. Upon receipt of each such remittance, the state~~
3 ~~treasurer shall deposit the entire amount in the state treasury to the credit~~
4 ~~of the trauma fund. All expenditures from the trauma fund shall be made~~
5 ~~in accordance with appropriation acts upon warrants of the director of~~
6 ~~accounts and reports issued pursuant to vouchers approved by the sec-~~
7 ~~retary or by a person or persons designated by such secretary.~~
8 ~~—(b) On or before the 10th of each month, the director of accounts~~
9 ~~and reports shall transfer from the state general fund to the trauma fund~~
10 ~~established in subsection (a) interest earnings based on:~~
11 ~~—(1) The average daily balance of money in the trauma fund for the~~
12 ~~preceding month; and~~
13 ~~—(2) the net earnings rate of the pooled money investment portfolio~~
14 ~~for the preceding month.~~
15 ~~—Sec. 11. K.S.A. 2006 Supp. 75-7021 is hereby amended to read as~~
16 ~~follows: 75-7021. (a) There is hereby created in the state treasury the~~
17 ~~Kansas juvenile delinquency prevention trust fund. Money credited to~~
18 ~~the Kansas juvenile delinquency prevention trust fund pursuant to K.S.A.~~
19 ~~20-367, and amendments thereto, or by any other lawful means shall be~~
20 ~~used solely for the purpose of making grants to further the purpose of~~
21 ~~juvenile justice reform, including rational prevention programs and pro-~~
22 ~~grams for treatment and rehabilitation of juveniles and to further the~~
23 ~~partnership between state and local communities. Such treatment and~~
24 ~~rehabilitation programs should aim to combine accountability and sanc-~~
25 ~~tions with increasingly intensive treatment and rehabilitation services with~~
26 ~~an aim to provide greater public safety and provide intervention that will~~
27 ~~be uniform and consistent.~~
28 ~~—(b) All expenditures from the Kansas juvenile delinquency prevention~~
29 ~~trust fund shall be made in accordance with appropriations acts upon~~
30 ~~warrants of the director of accounts and reports issued pursuant to vouch-~~
31 ~~ers approved by the commissioner of juvenile justice or by a person or~~
32 ~~persons designated by the commissioner.~~
33 ~~—(c) The commissioner of juvenile justice may apply for, receive and~~
34 ~~accept money from any source for the purposes for which money in the~~
35 ~~Kansas juvenile delinquency prevention trust fund may be expended.~~
36 ~~Upon receipt of any such money, the commissioner shall remit the entire~~
37 ~~amount to the state treasurer in accordance with the provisions of K.S.A.~~
38 ~~75-4215, and amendments thereto. Upon receipt of each such remittance,~~
39 ~~the state treasurer shall deposit the entire amount in the state treasury~~
40 ~~to the credit of the Kansas juvenile delinquency prevention trust fund.~~
41 ~~—(d) Grants made to programs pursuant to this section shall be based~~
42 ~~on the number of persons to be served and such other requirements as~~
43 ~~may be established by the Kansas advisory group on juvenile justice and~~

1 delinquency prevention in guidelines established and promulgated to reg-
2 ulate grants made under authority of this section. The guidelines may
3 include requirements for grant applications, organizational characteris-
4 ties, reporting and auditing criteria and such other standards for eligibility
5 and accountability as are deemed advisable by the Kansas advisory group
6 on juvenile justice and delinquency prevention.

7 —(c)— On or before the 10th of each month, the director of accounts
8 and reports shall transfer from the state general fund to the Kansas ju-
9 venile delinquency prevention trust fund interest earnings based on:

10 —(1)— The average daily balance of moneys in the Kansas juvenile de-
11 linquency prevention trust fund for the preceding month; and
12 —(2)— the net earnings rate of the pooled money investment portfolio
13 for the preceding month.

14 —(f)— On and after the effective date of this act, the Kansas endowment
15 for youth trust fund created by this section prior to amendment by this
16 act is hereby redesignated as the Kansas juvenile delinquency prevention
17 trust fund. On and after the effective date of this act, whenever the Kansas
18 endowment for youth trust fund created by this section prior to amend-
19 ment by this act, or words of like effect, is referred to or designated by a
20 statute, contract or other document such reference or designation shall
21 be deemed to apply to the Kansas juvenile delinquency prevention trust
22 fund.

23 Sec. ~~12~~ **8.** K.S.A. 74-7325 and 74-7334 and K.S.A. 2006 Supp. 20-
24 362, 20-367, 28-170, 28-170c, 28-170d, 28-170e, 28-172a, 28-172b, 28-
25 172e, 28-172f, 59-104, 59-104, as amended by section 18 of chapter 210
26 of the 2006 Session Laws of Kansas, 59-104a, 60-1621, ~~60-1621a~~, ~~75-5670~~
27 ~~and 75-7021~~ **and 60-1621a** are hereby repealed.

28 Sec. ~~13~~ **9.** This act shall take effect and be in force from and after
29 its publication in the statute book.