

## HOUSE BILL No. 2701

By Committee on Judiciary

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9 AN ACT concerning laboratory analysis fees; amending K.S.A. 2007  
10 Supp. 28-176 and repealing the existing section.

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

13 Section 1. K.S.A. 2007 Supp. 28-176 is hereby amended to read as  
14 follows: 28-176. (a) Any person convicted or diverted, or adjudicated or  
15 diverted under a preadjudication program, pursuant to K.S.A. 22-2906 et  
16 seq., K.S.A. 2007 Supp. 38-2346 et seq., or 12-4414 et seq., and amend-  
17 ments thereto, of a misdemeanor or felony contained in chapters 21, 41  
18 or 65 of the Kansas Statutes Annotated, or a violation of K.S.A. 8-1567  
19 and amendments thereto, shall pay a separate court cost of: (1) \$400 as  
20 a Kansas bureau of investigation laboratory analysis fee for each offense  
21 if forensic science or laboratory services are rendered or administered by  
22 the Kansas bureau of investigation in connection with the case; and (2)  
23 \$400 for each offense if forensic science or laboratory services are ren-  
24 dered or administered by the Sedgwick county regional forensic science  
25 center ~~or~~, the Johnson county sheriff's laboratory *or the heart of America*  
26 *regional computer forensics laboratory.*

27 (b) Such fees shall be in addition to and not in substitution for any  
28 and all fines and penalties otherwise provided for by law for such offense.

29 (c) Disbursements from the Kansas bureau of investigation laboratory  
30 analysis fee deposited into the forensic laboratory and materials fee fund  
31 of the Kansas bureau of investigation shall be made for the following:

32 (1) Providing criminalistic laboratory services;

33 (2) the purchase and maintenance of equipment for use by the lab-  
34 oratory in performing analysis;

35 (3) education, training and scientific development of Kansas bureau  
36 of investigation personnel; and

37 (4) the destruction of seized property and chemicals as prescribed in  
38 K.S.A. 22-2512 and 60-4117, and amendments thereto.

39 (d) Fees received into this fund shall be supplemental to regular ap-  
40 propriations to the Kansas bureau of investigation.

41 (e) The fee for services rendered or administered by the Sedgwick  
42 county regional forensic science center shall be deposited in the Sedgwick  
43 county general fund ~~and~~, the fee for services rendered or administered

- 1 by the Johnson county sheriff's laboratory shall be deposited in the John-  
2 son county general fund *and the fee for services rendered or administered*  
3 *by the heart of America regional computer forensics laboratory shall be*  
4 *deposited in the general treasury account maintained by the heart of*  
5 *America regional computer forensics laboratory* and disbursed for the  
6 following:
- 7 (1) Providing criminalistic laboratory services;
  - 8 (2) the purchase and maintenance of equipment for use by the center  
9 or laboratory in performing analysis; and
  - 10 (3) education, training and scientific development of the center's or  
11 laboratory's personnel.
- 12 Sec. 2. K.S.A. 2007 Supp. 28-176 is hereby repealed.
- 13 Sec. 3. This act shall take effect and be in force from and after its  
14 publication in the statute book.