

HOUSE BILL No. 2381

By Committee on Appropriations

3-12

9 AN ACT concerning docket fees; relating to the judicial branch nonju-
10 dicial salary adjustment fund; amending K.S.A. 2008 Supp. 8-2107, 8-
11 2110, 20-1a04, 20-1a15, 20-367, 23-108a, 28-170, 28-172a, 32-1049a,
12 38-2215, 38-2314, 59-104, 60-1621, 60-2001, 60-2203a, 61-2704 and
13 61-4001 and repealing the existing sections.

14
15 *Be it enacted by the Legislature of the State of Kansas:*

16 Section 1. K.S.A. 2008 Supp. 8-2107 is hereby amended to read as
17 follows: 8-2107. (a) (1) Notwithstanding any other provisions of the uni-
18 form act regulating traffic on highways, when a person is stopped by a
19 police officer for any of the offenses described in subsection (d) and such
20 person is not immediately taken before a judge of the district court, the
21 police officer may require the person stopped, subject to the provisions
22 of subsection (c), to deposit with the officer a valid Kansas driver's license
23 in exchange for a receipt therefor issued by such police officer, the form
24 of which shall be approved by the division of vehicles. Such receipt shall
25 be recognized as a valid temporary Kansas driver's license authorizing the
26 operation of a motor vehicle by the person stopped until the date of the
27 hearing stated on the receipt. The driver's license and a written copy of
28 the notice to appear shall be delivered by the police officer to the court
29 having jurisdiction of the offense charged as soon as reasonably possible.
30 If the hearing on such charge is continued for any reason, the judge may
31 note on the receipt the date to which such hearing has been continued
32 and such receipt shall be recognized as a valid temporary Kansas driver's
33 license until such date, but in no event shall such receipt be recognized
34 as a valid Kansas driver's license for a period longer than 30 days from
35 the date set for the original hearing. Any person who has deposited a
36 driver's license with a police officer under this subsection (a) shall have
37 such license returned upon final determination of the charge against such
38 person.

39 (2) In the event the person stopped deposits a valid Kansas driver's
40 license with the police officer and fails to appear in the district court on
41 the date set for appearance, or any continuance thereof, and in any event
42 within 30 days from the date set for the original hearing, the court shall
43 forward such person's driver's license to the division of vehicles with an

1 appropriate explanation attached thereto. Upon receipt of such person's
2 driver's license, the division shall suspend such person's privilege to op-
3 erate a motor vehicle in this state until such person appears before the
4 court having jurisdiction of the offense charged, the court makes a final
5 disposition thereof and notice of such disposition is given by the court to
6 the division. No new or replacement license shall be issued to any such
7 person until such notice of disposition has been received by the division.
8 The provisions of K.S.A. 8-256, and amendments thereto, limiting the
9 suspension of a license to one year, shall not apply to suspensions for
10 failure to appear as provided in this subsection (a).

11 (b) No person shall apply for a replacement or new driver's license
12 prior to the return of such person's original license which has been de-
13 posited in lieu of bond under this section. Violation of this subsection (b)
14 is a class C misdemeanor. The division may suspend such person's driver's
15 license for a period of not to exceed one year from the date the division
16 receives notice of the disposition of the person's charge as provided in
17 subsection (a).

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

26 (2) Such bond may be a cash bond, a bank card draft from any valid
27 and unexpired credit card approved by the division of vehicles or super-
28 intendent of the Kansas highway patrol or a guaranteed arrest bond cer-
29 tificate issued by either a surety company authorized to transact such
30 business in this state or an automobile club authorized to transact business
31 in this state by the commissioner of insurance. If any of the approved
32 bank card issuers redeem the bank card draft at a discounted rate, such
33 discount shall be charged against the amount designated as the fine for
34 the offense. If such bond is not forfeited, the amount of the bond less
35 the discount rate shall be reimbursed to the person providing the bond
36 by the use of a bank card draft. Any such guaranteed arrest bond certifi-
37 cate shall be signed by the person to whom it is issued and shall contain
38 a printed statement that such surety company or automobile club guar-
39 antees the appearance of such person and will, in the event of failure of
40 such person to appear in court at the time of trial, pay any fine or forfei-
41 ture imposed on such person not to exceed an amount to be stated on
42 such certificate.

43 (3) Such cash bond shall be taken in the following manner: The police

1 officer shall furnish the person stopped a stamped envelope addressed to
 2 the judge or clerk of the court named in the written notice to appear and
 3 the person shall place in such envelope the amount of the bond, and in
 4 the presence of the police officer shall deposit the same in the United
 5 States mail. After such cash payment, the person stopped need not sign
 6 the written notice to appear, but the police officer shall note the amount
 7 of the bond mailed on the notice to appear form and shall give a copy of
 8 such form to the person. If the person stopped furnishes the police officer
 9 with a guaranteed arrest bond certificate or bank card draft, the police
 10 officer shall give such person a receipt therefor and shall note the amount
 11 of the bond on the notice to appear form and give a copy of such form
 12 to the person stopped. Such person need not sign the written notice to
 13 appear, and the police officer shall present the notice to appear and the
 14 guaranteed arrest bond certificate or bank card draft to the court having
 15 jurisdiction of the offense charged as soon as reasonably possible.

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

18 On and after July 1, 1996:

19 Reckless driving.....	82 \$91
20 Driving when privilege is canceled, suspended or revoked.....	82 91
21 Failure to comply with lawful order of officer.....	57 66
22 Registration violation (registered for 12,000 pounds or less).....	52 61
23 Registration violation (registered for more than 12,000 pounds).....	92 101
24 No driver's license for the class of vehicle operated or violation of	
25 restrictions	52 61
26 Spilling load on highway.....	52 61
27 Transporting open container of alcoholic liquor or cereal malt beverage	
28 accessible while vehicle in motion.....	223 232

29 (e) In the event of forfeiture of any bond under this section, ~~\$75 of~~
 30 ~~the amount forfeited~~ *the docket fee amount provided by subsection (b) of*
 31 *K.S.A. 28-172a, and amendments thereto*, shall be regarded as a docket
 32 fee in any court having jurisdiction over the violation of state law.

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

35 (g) When a person is stopped by a police officer for any traffic in-
 36 fraction and the person is a resident of a state which is not a member of
 37 the nonresident violator compact, K.S.A. 8-1219 et seq., and amendments
 38 thereto, or the person is licensed to drive under the laws of a foreign
 39 country, the police officer may require a bond as provided for under
 40 subsection (c). The bond shall be in the amount specified in the uniform
 41 fine schedule in subsection (c) of K.S.A. 8-2118, and amendments
 42 thereto, plus ~~\$75~~ *the docket fee amount provided by subsection (b) of*
 43 *K.S.A. 28-172a, and amendments thereto*, which shall be regarded as a

1 docket fee in any court having jurisdiction over the violation of state law.
2 (h) When a person is stopped by a police officer for failure to provide
3 proof of financial security pursuant to K.S.A. 40-3104, and amendments
4 thereto, and the person is a resident of another state or the person is
5 licensed to drive under the laws of a foreign country, the police officer
6 may require a bond as provided for under subsection (c). The bond shall
7 be in the amount of ~~\$75~~ \$84, plus ~~\$75~~ *the docket fee amount provided*
8 *by subsection (b) of K.S.A. 28-172a, and amendments thereto*, which shall
9 be regarded as a docket fee in any court having jurisdiction over the
10 violation of state law.

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

15 Sec. 2. K.S.A. 2008 Supp. 8-2110 is hereby amended to read as fol-
16 lows: 8-2110. (a) Failure to comply with a traffic citation means failure
17 either to (1) appear before any district or municipal court in response to
18 a traffic citation and pay in full any fine and court costs imposed or (2)
19 otherwise comply with a traffic citation as provided in K.S.A. 8-2118, and
20 amendments thereto. Failure to comply with a traffic citation is a mis-
21 demeanor, regardless of the disposition of the charge for which such
22 citation was originally issued.

23 (b) In addition to penalties of law applicable under subsection (a),
24 when a person fails to comply with a traffic citation, except for illegal
25 parking, standing or stopping, the district or municipal court in which the
26 person should have complied with the citation shall mail notice to the
27 person that if the person does not appear in district or municipal court
28 or pay all fines, court costs and any penalties within 30 days from the date
29 of mailing notice, the division of vehicles will be notified to suspend the
30 person's driving privileges. The district or municipal court may charge an
31 additional fee of \$5 for mailing such notice. Upon the person's failure to
32 comply within such 30 days of mailing notice, the district or municipal
33 court shall electronically notify the division of vehicles. Upon receipt of
34 a report of a failure to comply with a traffic citation under this subsection,
35 pursuant to K.S.A. 8-255, and amendments thereto, the division of ve-
36 hicles shall notify the violator and suspend the license of the violator until
37 satisfactory evidence of compliance with the terms of the traffic citation
38 has been furnished to the informing court. When the court determines
39 the person has complied with the terms of the traffic citation, the court
40 shall immediately electronically notify the division of vehicles of such
41 compliance. Upon receipt of notification of such compliance from the
42 informing court, the division of vehicles shall terminate the suspension
43 or suspension action.

1 (c) Except as provided in subsection (d), when the district or munic-
2 ipal court notifies the division of vehicles of a failure to comply with a
3 traffic citation pursuant to subsection (b), the court shall assess a rein-
4 statement fee of ~~\$59~~ \$68 for each charge on which the person failed to
5 make satisfaction regardless of the disposition of the charge for which
6 such citation was originally issued. Such reinstatement fee shall be in
7 addition to any fine, district or municipal court costs and other penalties.
8 The court shall remit all reinstatement fees to the state treasurer in ac-
9 cordance with the provisions of K.S.A. 75-4215, and amendments thereto.
10 Upon receipt of each such remittance, the state treasurer shall deposit
11 the entire amount in the state treasury and shall credit ~~42.37%~~ 36.77%
12 of such moneys to the division of vehicles operating fund, ~~31.78%~~ 27.58%
13 to the community alcoholism and intoxication programs fund created by
14 K.S.A. 41-1126, and amendments thereto, ~~10.59%~~ 9.19% to the juvenile
15 detention facilities fund created by K.S.A. 79-4803, and amendments
16 thereto, and ~~15.26%~~ 26.46% to the judicial branch nonjudicial salary ad-
17 justment fund created by K.S.A. 2008 Supp. 20-1a15, and amendments
18 thereto.

19 (d) The district court or municipal court shall waive the reinstatement
20 fee provided for in subsection (c), if the failure to comply with a traffic
21 citation was the result of such person enlisting in or being drafted into
22 the armed services of the United States, being called into service as a
23 member of a reserve component of the military service of the United
24 States, or volunteering for such active duty, or being called into service
25 as a member of the state of Kansas national guard, or volunteering for
26 such active duty, and being absent from Kansas because of such military
27 service. In any case of a failure to comply with a traffic citation which
28 occurred on or after August 1, 1990, and prior to the effective date of
29 this act, in which a person was assessed and paid a reinstatement fee and
30 the person failed to comply with a traffic citation because the person was
31 absent from Kansas because of any such military service, the reinstatement
32 fee shall be reimbursed to such person upon application therefor.
33 The state treasurer and the director of accounts and reports shall pre-
34 scribe procedures for all such reimbursement payments and shall create
35 appropriate accounts, make appropriate accounting entries and issue such
36 appropriate vouchers and warrants as may be required to make such re-
37 imbursement payments.

38 (e) The reinstatement fee established in this section shall be the only
39 fee collected or moneys in the nature of a fee collected for such rein-
40 statement. Such fee shall only be established by an act of the legislature
41 and no other authority is established by law or otherwise to collect a fee.

42 Sec. 3. K.S.A. 2008 Supp. 20-1a04 is hereby amended to read as
43 follows: 20-1a04. The clerk of the supreme court shall remit all moneys

1 received by or for such clerk for docket fees, and all amounts received
2 for other purposes than those specified in K.S.A. 20-1a01, 20-1a02 or 20-
3 1a03, and amendments thereto, unless by order of the supreme court
4 such clerk is directed to make other disposition thereof to the state trea-
5 surer in accordance with the provisions of K.S.A. 75-4215, and amend-
6 ments thereto. Upon receipt of each such remittance, the state treasurer
7 shall deposit the entire amount in the state treasury to the credit of the
8 judicial branch nonjudicial salary initiative fund, a sum equal to ~~52.24%~~
9 48.73% of the remittances of docket fees, to the judicial branch nonju-
10 dicial salary adjustment fund, a sum equal to ~~6.72%~~ 12.99% of the re-
11 mittance of docket fees, and to the state general fund, a sum equal to
12 ~~41.04%~~ 38.28% of the remittance of docket fees.

13 Sec. 4. K.S.A. 2008 Supp. 20-1a15 is hereby amended to read as
14 follows: 20-1a15. (a) There is hereby established in the state treasury the
15 judicial branch nonjudicial salary adjustment fund.

16 (b) All moneys credited to the judicial branch nonjudicial salary ad-
17 justment fund shall be used for compensation of nonjudicial officers and
18 employees of the district courts, court of appeals and the supreme court
19 and shall not be expended for compensation of judges or justices of the
20 judicial branch. Moneys in the fund shall be used only to pay for that
21 portion of the cost of salaries and wages of nonjudicial personnel of the
22 judicial branch, including associated employer contributions, which shall
23 not exceed the difference between the amount of expenditures that would
24 be required under the judicial branch pay plan for nonjudicial personnel
25 in effect prior to the effective date of this act and the amount of expend-
26 itures required under the judicial branch pay plan for nonjudicial person-
27 nel after the cost-of-living adjustments and the adjustments for upgrades
28 in pay rates for nonjudicial personnel approved by the chief justice of the
29 Kansas supreme court for fiscal ~~year 2009~~ *years 2009 and 2010*. For fiscal
30 years commencing on and after June 30, 2010, moneys in such fund shall
31 be used only for the amount attributable to maintenance of the judicial
32 branch pay plan for nonjudicial personnel for such adjustments and up-
33 grades approved by the chief justice of the supreme court for fiscal ~~year~~
34 ~~2009~~ *years 2009 and 2010*.

35 (c) All expenditures from the judicial branch nonjudicial salary ad-
36 justment fund shall be made in accordance with appropriation acts and
37 upon warrants of the director of accounts and reports issued pursuant to
38 payrolls approved by the chief justice of the Kansas supreme court or by
39 a person or persons designated by the chief justice.

40 Sec. 5. K.S.A. 2008 Supp. 20-367 is hereby amended to read as fol-
41 lows: 20-367. (a) On and after July 1, 2008 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) of K.S.A. 20-

- 1 362, and amendments thereto, the state treasurer shall deposit and credit:
- 2 (1) ~~3.00%~~ 2.57% to the judicial performance fund;
- 3 (2) ~~4.17%~~ 3.57% to the access to justice fund;
- 4 (3) ~~2.31%~~ 1.98% to the juvenile detention facilities fund;
- 5 (4) ~~1.78%~~ 1.52% to the judicial branch education fund;
- 6 (5) ~~.47%~~ .40% to the crime victims assistance fund;
- 7 (6) ~~2.27%~~ 1.94% to the protection from abuse fund;
- 8 (7) ~~3.60%~~ 3.08% to the judiciary technology fund;
- 9 (8) ~~.29%~~ .25% to the dispute resolution fund;
- 10 (9) ~~1.05%~~ .90% to the Kansas juvenile delinquency prevention trust
- 11 fund;
- 12 (10) ~~.18%~~ .16% to the permanent families account in the family and
- 13 children investment fund;
- 14 (11) ~~1.25%~~ 1.07% to the trauma fund;
- 15 (12) ~~.94%~~ .81% to the judicial council fund;
- 16 (13) ~~.57%~~ .49% to the child exchange and visitation centers fund;
- 17 (14) ~~15.29%~~ 27.48% to the judicial branch nonjudicial salary adjust-
- 18 ment fund;
- 19 (15) ~~15.12%~~ 12.94% to the judicial branch nonjudicial salary initiative
- 20 fund; and
- 21 (16) the balance to the state general fund.
- 22 (b) On and after July 1, 2010, of the remittance of the balance of
- 23 docket fees received by the state treasurer from clerks of the district court
- 24 pursuant to subsection (f) of K.S.A. 20-362, and amendments thereto, the
- 25 state treasurer shall deposit and credit:
- 26 (1) ~~4.30%~~ 3.57% to the access to justice fund;
- 27 (2) ~~2.38%~~ 1.98% to the juvenile detention facilities fund;
- 28 (3) ~~1.83%~~ 1.52% to the judicial branch education fund;
- 29 (4) ~~.48%~~ .40% to the crime victims assistance fund;
- 30 (5) ~~2.34%~~ 1.94% to the protection from abuse fund;
- 31 (6) ~~3.71%~~ 3.08% to the judiciary technology fund;
- 32 (7) ~~.30%~~ .25% to the dispute resolution fund;
- 33 (8) ~~1.08%~~ .90% to the Kansas juvenile delinquency prevention trust
- 34 fund;
- 35 (9) ~~.19%~~ .16% to the the permanent families account in the family
- 36 and children investment fund;
- 37 (10) ~~1.29%~~ 1.07% to the trauma fund;
- 38 (11) ~~.97%~~ .81% to the judicial council fund;
- 39 (12) ~~.59%~~ .49% to the child exchange and visitation centers fund;
- 40 (13) ~~15.75%~~ 27.48% to the judicial branch nonjudicial salary adjust-
- 41 ment fund;
- 42 (14) ~~15.57%~~ 12.94 to the judicial branch nonjudicial salary incentive
- 43 fund; and

1 (15) the balance to the state general fund.

2 Sec. 6. K.S.A. 2008 Supp. 23-108a is hereby amended to read as

3 follows: 23-108a. (a) The judge or clerk of the district court shall collect

4 from the applicant for a marriage license a fee of ~~\$50~~ \$68.

5 (b) The clerk of the court shall remit all fees prescribed by this section

6 to the state treasurer in accordance with the provisions of K.S.A. 75-4215,

7 and amendments thereto. Upon receipt of each such remittance, the state

8 treasurer shall deposit the entire amount in the state treasury. Of each

9 remittance, the state treasurer shall credit ~~38.98%~~ 33.82% to the protec-

10 tion from abuse fund, ~~15.19%~~ 13.18% to the family and children trust

11 account of the family and children investment fund created by K.S.A. 38-

12 1808, and amendments thereto, ~~16.95%~~ 14.71% to the crime victims as-

13 sistance fund created by K.S.A. 74-7334, and amendments thereto,

14 ~~15.25%~~ 26.46% to the judicial branch nonjudicial salary adjustment fund

15 created by K.S.A. 2008 Supp. 20-1a15, and amendments thereto, and the

16 remainder to the state general fund.

17 (c) The marriage license fee established in this section shall be the

18 only fee collected or moneys in the nature of a fee collected for a marriage

19 license. Such fee shall only be established by an act of the legislature and

20 no other authority is established by law or otherwise to collect a fee.

21 Sec. 7. K.S.A. 2008 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

33 intent to perform, personal property tax judgment or any judgment on

34 which execution process cannot be issued..... ~~\$14~~ \$23

35 2. For filing, entering and releasing a judgment of a court of this state

36 on which execution or other process can be issued..... ~~\$24~~ \$33

37 3. For a certificate, or for copying or certifying any paper or writ, such

38 fee as shall 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. 2008 Supp. 38-2201 et seq. and amendments thereto), the revised
6 Kansas juvenile justice code (K.S.A. 2008 Supp. 38-2301 et seq. and
7 amendments thereto), the act for treatment of alcoholism (K.S.A. 65-4001
8 et seq. and amendments thereto), the act for treatment of drug abuse
9 (K.S.A. 65-5201 et seq. and amendments thereto) or the care and treat-
10 ment act for mentally ill persons (K.S.A. 59-2945 et seq. and amendments
11 thereto), the clerk shall charge an additional fee of \$1 which shall be
12 deducted from the docket fee and credited to the prosecuting attorneys'
13 training fund as provided in K.S.A. 28-170a and amendments thereto.

14 (d) In actions pursuant to the revised Kansas code for care of children
15 (K.S.A. 2008 Supp. 38-2201 et seq. and amendments thereto), the revised
16 Kansas juvenile justice code (K.S.A. 2008 Supp. 38-2301 et seq. and
17 amendments thereto), the act for treatment of alcoholism (K.S.A. 65-4001
18 et seq. and amendments thereto), the act for treatment of drug abuse
19 (K.S.A. 65-5201 et seq. and amendments thereto) or the care and treat-
20 ment act for mentally ill persons (K.S.A. 59-2945 et seq. and amendments
21 thereto), the clerk shall charge an additional fee of \$.50 which shall be
22 deducted from the docket fee and credited to the indigents' defense serv-
23 ices fund as provided in K.S.A. 28-172b and amendments thereto.

24 (e) The bond, lien or judgment fee established in subsection (a) shall
25 be the only fee collected or moneys in the nature of a fee collected for
26 such bond, lien or judgment. Such fee shall only be established by an act
27 of the legislature and no other authority is established by law or otherwise
28 to collect a fee.

29 Sec. 8. K.S.A. 2008 Supp. 28-172a is hereby amended to read as
30 follows: 28-172a. (a) Except as otherwise provided in this section, when-
31 ever the prosecuting witness or defendant is adjudged to pay the costs in
32 a criminal proceeding in any county, a docket fee shall be taxed as follows:

33 (1) On and after July 1, 2008 through June 30, 2010:

34	Murder or manslaughter.....	\$181.50	\$190.50
35	Other felony.....	172.00	181.00
36	Misdemeanor.....	137.00	146.00
37	Forfeited recognizance.....	73.50	82.50
38	Appeals from other courts.....	73.50	82.50

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

40	Murder or manslaughter.....	\$179.50	\$188.50
41	Other felony.....	170.00	179.00
42	Misdemeanor.....	135.00	144.00
43	Forfeited recognizance.....	71.50	80.50

1 Appeals from other courts..... ~~71.50~~ 80.50

2 (b) (1) Except as provided in paragraph (2), in actions involving the
3 violation of any of the laws of this state regulating traffic on highways
4 (including those listed in subsection (c) of K.S.A. 8-2118, and amend-
5 ments thereto), a cigarette or tobacco infraction, any act declared a crime
6 pursuant to the statutes contained in chapter 32 of Kansas Statutes An-
7 notated and amendments thereto or any act declared a crime pursuant
8 to the statutes contained in article 8 of chapter 82a of the Kansas Statutes
9 Annotated, and amendments thereto, whenever the prosecuting witness
10 or defendant is adjudged to pay the costs in the action, on and after July
11 1, 2008 through June 30, 2010, a docket fee of ~~\$75~~ \$84 shall be charged,
12 and on and after July 1, 2010, a docket fee of ~~\$73~~ \$82 shall be charged.
13 When an action is disposed of under subsections (a) and (b) of K.S.A. 8-
14 2118 or subsection (f) of K.S.A. 79-3393, and amendments thereto,
15 whether by mail or in person, on and after July 1, 2008 through June 30,
16 2010, the docket fee to be paid as court costs shall be ~~\$75~~ \$84, and on
17 and after July 1, 2010, the docket fee to be paid as court costs shall be
18 ~~\$73~~ \$82.

19 (2) In actions involving the violation of a moving traffic violation un-
20 der K.S.A. 8-2118, and amendments thereto, as defined by rules and
21 regulations adopted under K.S.A. 8-249, and amendments thereto, when-
22 ever the prosecuting witness or defendant is adjudged to pay the costs in
23 the action, on and after July 1, 2008 through June 30, 2010, a docket fee
24 of ~~\$75~~ \$84 shall be charged, and on and after July 1, 2010, a docket fee
25 of ~~\$73~~ \$82 shall be charged. When an action is disposed of under sub-
26 section (a) and (b) of K.S.A. 8-2118, and amendments thereto, whether
27 by mail or in person, on and after July 1, 2008 through June 30, 2010,
28 the docket fee to be paid as court costs shall be ~~\$75~~ \$84, and on and after
29 July 1, 2010, the docket fee to be paid as court costs shall be ~~\$73~~ \$82.

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

34 (d) Statutory charges for law library funds, the law enforcement train-
35 ing center fund, the prosecuting attorneys' training fund, the juvenile
36 detention facilities fund, the judicial branch education fund, the emer-
37 gency medical services operating fund and the judiciary technology fund
38 shall be paid from the docket fee; the family violence and child abuse and
39 neglect assistance and prevention fund fee shall be paid from criminal
40 proceedings docket fees. All other fees and expenses to be assessed as
41 additional court costs shall be approved by the court, unless specifically
42 fixed by statute. Additional fees shall include, but are not limited to, fees
43 for Kansas bureau of investigation forensic or laboratory analyses, fees for

1 detention facility processing pursuant to K.S.A. 12-16,119, and amend-
2 ments thereto, fees for the sexual assault evidence collection kit, fees for
3 conducting an examination of a sexual assault victim, fees for service of
4 process outside the state, witness fees, fees for transcripts and deposi-
5 tions, costs from other courts, doctors' fees and examination and evalu-
6 ation fees. No sheriff in this state shall charge any district court of this
7 state a fee or mileage for serving any paper or process.

8 (e) In each case charging a violation of the laws relating to parking
9 of motor vehicles on the statehouse grounds or other state-owned or
10 operated property in Shawnee county, Kansas, as specified in K.S.A. 75-
11 4510a, and amendments thereto, or as specified in K.S.A. 75-4508, and
12 amendments thereto, the clerk shall tax a fee of \$2 which shall constitute
13 the entire costs in the case, except that witness fees, mileage and expenses
14 incurred in serving a warrant shall be in addition to the fee. Appearance
15 bond for a parking violation of K.S.A. 75-4508 or 75-4510a, and amend-
16 ments thereto, shall be \$3, unless a warrant is issued. The judge may
17 order the bond forfeited upon the defendant's failure to appear, and \$2
18 of any bond so forfeited shall be regarded as court costs.

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

23 Sec. 9. K.S.A. 2008 Supp. 32-1049a is hereby amended to read as
24 follows: 32-1049a. (a) Failure to comply with a wildlife and parks citation
25 means failure to:

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

28 (2) fully pay or satisfy all fines, court costs, assessments or fees im-
29 posed as a part of the sentence of any district court for violation of the
30 wildlife and parks laws of this state; or

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

33 Failure to comply with a wildlife and parks citation is a class C mis-
34 demeanor, regardless of the disposition of the charge for which such
35 citation, complaint or charge was originally issued.

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

40 (c) In addition to penalties of law applicable under subsection (a)
41 when a person fails to comply with a wildlife and parks citation or sen-
42 tence for a violation of wildlife and parks laws or rules and regulations,
43 the district court in which the person should have complied shall mail a

1 notice to the person that if the person does not appear in the district
2 court or pay all fines, court costs, assessments or fees, and any penalties
3 imposed within 30 days from the date of mailing, the department of wild-
4 life and parks shall be notified to forfeit or suspend any license, permit,
5 stamp or other issue of the department. Upon receipt of a report of a
6 failure to comply with a wildlife and parks citation under this section, and
7 amendments thereto, the department shall notify the violator and sus-
8 pend or forfeit the license, permit, stamp or other issue of the department
9 held by the violator until satisfactory evidence of compliance with the
10 wildlife and parks citation or sentence of the district court for violation
11 of the wildlife and parks laws or rules and regulations of this state are
12 furnished to the informing court. Upon receipt of notification of such
13 compliance from the informing court, the department shall terminate the
14 suspension action, unless the violator is otherwise suspended.

15 (d) Except as provided in subsection (e), when the district court no-
16 tifies the department of a failure to comply with a wildlife and parks
17 citation or failure to comply with a sentence of the district court imposed
18 on violation of a wildlife and parks law or rule and regulation, the court
19 shall assess a reinstatement fee of ~~\$50~~ \$68 for each charge or sentence
20 on which the person failed to make satisfaction, regardless of the dispo-
21 sition of the charge for which such citation was originally issued. Such
22 reinstatement fee shall be in addition to any fine, court costs and other
23 assessments, fees or penalties. The court shall remit all reinstatement fees
24 to the state treasurer in accordance with the provisions of K.S.A. 75-4215,
25 and amendments thereto. Upon receipt of each remittance, the state trea-
26 surer shall deposit the entire amount in the state treasury and shall credit
27 ~~such moneys to the state general fund~~ *26.46% of such moneys to the*
28 *judicial branch nonjudicial salary adjustment fund created by K.S.A. 2008*
29 *Supp. 20-1a15, and amendments thereto, and the remainder to the state*
30 *general fund.*

31 (e) The district court shall waive the reinstatement fee provided for
32 in subsection (d), if the failure to comply with a wildlife and parks citation
33 was the result of such person enlisting in or being drafted into the armed
34 services of the United States of America, being called into service as a
35 member of a reserve component of the military service of the United
36 States of America, or volunteering for such active duty or being called
37 into service as a member of the Kansas national guard or volunteering for
38 such active duty and being absent from Kansas because of such military
39 service. The state treasurer and the director of accounts and reports shall
40 prescribe procedures for all such reimbursement payments and shall cre-
41 ate appropriate accounts, make appropriate accounting entries and issue
42 such appropriate vouchers and warrants as may be required to make such
43 reimbursement payments.

1 Sec. 10. K.S.A. 2008 Supp. 38-2215 is hereby amended to read as
2 follows: 38-2215. (a) *Docket fee*. The docket fee for proceedings under
3 this code, if one is assessed as provided in this section, shall be ~~\$34~~ \$43.
4 Only one docket fee shall be assessed in each case.

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

9 (c) *Assessment of docket fee and expenses*. (1) *Docket fee*. The docket
10 fee may be assessed or waived by the court conducting the initial dispos-
11 itional hearing and the docket fee may be assessed against the complain-
12 ing witness or person initiating the proceedings or a party or interested
13 party other than the state, a political subdivision of the state, an agency
14 of the state or of a political subdivision of the state, or a person acting in
15 the capacity of an employee of the state or of a political subdivision of
16 the state. Any docket fee received shall be remitted to the state treasurer
17 pursuant to K.S.A. 20-362, and amendments thereto.

18 (2) *Expenses*. Expenses may be assessed against the complaining wit-
19 ness, a person initiating the proceedings, a party or an interested party,
20 other than the state, a political subdivision of the state, an agency of the
21 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. When expenses are recovered from a person against whom they
24 have been assessed the general fund of the county shall be reimbursed
25 in the amount of the recovery. If it appears to the court in any proceedings
26 under this code that expenses were unreasonably incurred at the request
27 of any party the court may assess that portion of the expenses against the
28 party.

29 (d) *Cases in which venue is transferred*. If venue is transferred from
30 one county to another, the court from which the case is transferred shall
31 send to the receiving court a statement of expenses paid from the general
32 fund of the sending county. If the receiving court collects any of the
33 expenses owed in the case, the receiving court shall pay to the sending
34 court an amount proportional to the sending court's share of the total
35 expenses owed to both counties. The expenses of the sending county shall
36 not be an obligation of the receiving county except to the extent that the
37 sending county's proportion of the expenses is collected by the receiving
38 court. All amounts collected shall first be applied toward payment of the
39 docket fee.

40 Sec. 11. K.S.A. 2008 Supp. 38-2314 is hereby amended to read as
41 follows: 38-2314. (a) *Docket fee*. The docket fee for proceedings under
42 this code, if one is assessed as provided by this section, shall be ~~\$34~~ \$43.
43 Only one docket fee shall be assessed in each case.

1 (b) *Expenses.* The expenses for proceedings under this code, includ-
2 ing fees and mileage allowed witnesses and fees and expenses approved
3 by the court for appointed attorneys, shall be paid by the board of county
4 commissioners from the general fund of the county.

5 (c) *Assessment of docket fee and expenses.* (1) *Docket fee.* The docket
6 fee may be assessed or waived by the court conducting the initial sen-
7 tencing hearing and may be assessed against the juvenile or the parent of
8 the juvenile. Any docket fee received shall be remitted to the state trea-
9 surer pursuant to K.S.A. 20-362, and amendments thereto.

10 (2) *Expenses.* Expenses may be waived or assessed against the juve-
11 nile or a parent of the juvenile. When expenses are recovered from a
12 party against whom they have been assessed the general fund of the
13 county shall be reimbursed in the amount of the recovery.

14 (3) *Prohibited assessment.* Docket fees or expenses shall not be as-
15 sessed against the state, a political subdivision of the state, an agency of
16 the state or of a political subdivision of the state or a person acting in the
17 capacity of an employee of the state or of a political subdivision of the
18 state.

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

31 Sec. 12. K.S.A. 2008 Supp. 59-104 is hereby amended to read as
32 follows: 59-104. (a) *Docket fee.* (1) Except as otherwise provided by law,
33 no case shall be filed or docketed in the district court under the provisions
34 of chapter 59 of the Kansas Statutes Annotated or of articles 40 and 52
35 of chapter 65 of the Kansas Statutes Annotated without payment of an
36 appropriate docket fee as follows:

37 (A) On and after July 1, 2008 through June 30, 2010:

38 Treatment of mentally ill	\$59.00	\$68.00
39 Treatment of alcoholism or drug abuse.....	36.50	45.00
40 Determination of descent of property	51.50	60.00
41 Termination of life estate.....	50.50	60.00
42 Termination of joint tenancy	50.50	60.00
43 Refusal to grant letters of administration	50.50	60.00

1	Adoption.....	50.50 60.00
2	Filing a will and affidavit under K.S.A. 59-618a.....	50.50 60.00
3	Guardianship.....	71.50 81.00
4	Conservatorship.....	71.50 81.00
5	Trusteeship.....	71.50 81.00
6	Combined guardianship and conservatorship.....	71.50 81.00
7	Certified probate proceedings under K.S.A. 59-213, and amendments	
8	thereto.....	25.50 35.00
9	Decrees in probate from another state.....	110.50 120.00
10	Probate of an estate or of a will.....	111.50 120.00
11	Civil commitment under K.S.A. 59-29a01 et seq.....	35.50 45.00
12	(B) On and after July 1, 2010:	
13	Treatment of mentally ill.....	34.50 \$43.00
14	Treatment of alcoholism or drug abuse.....	34.50 43.00
15	Determination of descent of property.....	49.50 58.00
16	Termination of life estate.....	48.50 58.00
17	Termination of joint tenancy.....	48.50 58.00
18	Refusal to grant letters of administration.....	48.50 58.00
19	Adoption.....	48.50 58.00
20	Filing a will and affidavit under K.S.A. 59-618a.....	48.50 58.00
21	Guardianship.....	69.50 79.00
22	Conservatorship.....	69.50 79.00
23	Trusteeship.....	69.50 79.00
24	Combined guardianship and conservatorship.....	69.50 79.00
25	Certified probate proceedings under K.S.A. 59-213, and amendments	
26	thereto.....	23.50 33.00
27	Decrees in probate from another state.....	108.50 118.00
28	Probate of an estate or of a will.....	109.50 118.00
29	Civil commitment under K.S.A. 59-29a01 et seq.....	33.50 43.00
30	(2) The docket fee established in this subsection shall be the only fee	
31	collected or moneys in the nature of a fee collected for the docket fee.	
32	Such fee shall only be established by an act of the legislature and no other	
33	authority is established by law or otherwise to collect a fee.	
34	(b) <i>Poverty affidavit in lieu of docket fee and exemptions.</i> The pro-	
35	visions of subsection (b) of K.S.A. 60-2001 and K.S.A. 60-2005, and	
36	amendments thereto, shall apply to probate docket fees prescribed by	
37	this section.	
38	(c) <i>Disposition of docket fee.</i> Statutory charges for the law library and	
39	for the prosecuting attorneys' training fund shall be paid from the docket	
40	fee. The remainder of the docket fee shall be paid to the state treasurer	
41	in accordance with K.S.A. 20-362, and amendments thereto.	
42	(d) <i>Additional court costs.</i> Other fees and expenses to be assessed as	
43	additional court costs shall be approved by the court, unless specifically	

1 fixed by statute. Other fees shall include, but not be limited to, witness
2 fees, appraiser fees, fees for service of process outside the state, fees for
3 depositions, transcripts and publication of legal notice, executor or ad-
4 ministrators fees, attorney fees, court costs from other courts and any other
5 fees and expenses required by statute. All additional court costs shall be
6 taxed and billed against the parties or estate as directed by the court. No
7 sheriff in this state shall charge any district court in this state a fee or
8 mileage for serving any paper or process.

9 Sec. 13. K.S.A. 2008 Supp. 60-1621 is hereby amended to read as
10 follows: 60-1621. (a) No post-decree motion petitioning for a modification
11 or termination of separate maintenance, for a change in legal custody,
12 residency, visitation rights or parenting time or for a modification of child
13 support shall be filed or docketed in the district court without payment
14 of a docket fee in the amount of ~~\$42~~ \$51 on and after July 1, 2008 through
15 June 30, 2010, and ~~\$40~~ \$49 on and after July 1, 2010, to the clerk of the
16 district court.

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

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

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

27 Sec. 14. K.S.A. 2008 Supp. 60-2001 is hereby amended to read as
28 follows: 60-2001. (a) *Docket fee*. Except as otherwise provided by law, no
29 case shall be filed or docketed in the district court, whether original or
30 appealed, without payment of a docket fee in the amount of ~~\$156~~ \$165
31 on and after July 1, 2008 through June 30, 2010, and ~~\$154~~ \$163 on and
32 after July 1, 2010, to the clerk of the district court. The docket fee estab-
33 lished in this subsection shall be the only fee collected or moneys in the
34 nature of a fee collected for the docket fee. Such fee shall only be estab-
35 lished by an act of the legislature and no other authority is established by
36 law or otherwise to collect a fee.

37 (b) *Poverty affidavit in lieu of docket fee*. (1) *Effect*. In any case where
38 a plaintiff by reason of poverty is unable to pay a docket fee, and an
39 affidavit so stating is filed, no fee will be required. An inmate in the
40 custody of the secretary of corrections may file a poverty affidavit only if
41 the inmate attaches a statement disclosing the average account balance,
42 or the total deposits, whichever is less, in the inmate's trust fund for each
43 month in (A) the six-month period preceding the filing of the action; or

1 (B) the current period of incarceration, whichever is shorter. Such state-
2 ment shall be certified by the secretary. On receipt of the affidavit and
3 attached statement, the court shall determine the initial fee to be assessed
4 for filing the action and in no event shall the court require an inmate to
5 pay less than \$3. The secretary of corrections is hereby authorized to
6 disburse money from the inmate's account to pay the costs as determined
7 by the court. If the inmate has a zero balance in such inmate's account,
8 the secretary shall debit such account in the amount of \$3 per filing fee
9 as established by the court until money is credited to the account to pay
10 such docket fee. Any initial filing fees assessed pursuant to this subsection
11 shall not prevent the court, pursuant to subsection (d), from taxing that
12 individual for the remainder of the amount required under subsection (a)
13 or this subsection.

14 (2) *Form of affidavit.* The affidavit provided for in this subsection
15 shall be in the following form and attached to the petition:

16 State of Kansas, _____ County.

17 In the district court of the county: I do solemnly swear that the claim set forth in the
18 petition herein is just, and I do further swear that, by reason of my poverty, I am unable to
19 pay a docket fee.

20 (c) *Disposition of fees.* The docket fees and the fees for service of
21 process shall be the only costs assessed in each case for services of the
22 clerk of the district court and the sheriff. For every person to be served
23 by the sheriff, the persons requesting service of process shall provide
24 proper payment to the clerk and the clerk of the district court shall for-
25 ward the service of process fee to the sheriff in accordance with K.S.A.
26 28-110, and amendments thereto. The service of process fee, if paid by
27 check or money order, shall be made payable to the sheriff. Such service
28 of process fee shall be submitted by the sheriff at least monthly to the
29 county treasurer for deposit in the county treasury and credited to the
30 county general fund. The docket fee shall be disbursed in accordance
31 with K.S.A. 20-362 and amendments thereto.

32 (d) *Additional court costs.* Other fees and expenses to be assessed as
33 additional court costs shall be approved by the court, unless specifically
34 fixed by statute. Other fees shall include, but not be limited to, witness
35 fees, appraiser fees, fees for service of process, fees for depositions, al-
36 ternative dispute resolution fees, transcripts and publication, attorney
37 fees, court costs from other courts and any other fees and expenses re-
38 quired by statute. All additional court costs shall be taxed and billed
39 against the parties as directed by the court. No sheriff in this state shall
40 charge any mileage for serving any papers or process.

41 Sec. 15. K.S.A. 2008 Supp. 60-2203a is hereby amended to read as
42 follows: 60-2203a. (a) After the commencement of any action in any dis-
43 trict court of this state, or the courts of the United States in the state of

1 Kansas or in any action now pending heretofore commenced in such
2 courts, which does not involve title to real estate, any party to such action
3 may give notice in any other county of the state of the pendency of the
4 action by filing for record with the clerk of the district court of such other
5 county a verified statement setting forth the parties to the action, the
6 nature of the action, the court in which it is pending, and the relief sought,
7 which shall impart notice of the pendency of the action and shall result
8 in the same lien rights as if the action were pending in that county. The
9 lien shall be effective from the time the statement is filed, but not to
10 exceed four months prior to the entry of judgment except as provided in
11 subsection (c). The party filing such notice shall within 30 days after any
12 satisfaction of the judgment entered in such action, or any other final
13 disposition thereof, cause to be filed with such clerk of the district court
14 a notice that all claims in such action are released. If the party filing fails
15 or neglects to do so after reasonable demand by any party in interest,
16 such party shall be liable in damages in the same amounts and manner
17 as is provided by law for failure of a mortgagee to enter satisfaction of a
18 mortgage. Upon the filing of such a notice of the pendency of an action
19 the clerk shall charge a fee of ~~\$14~~ \$23 and shall enter and index the action
20 in the same manner as for the filing of an original action. Upon the filing
21 of a notice of release, the notice shall likewise be entered on the docket.
22 The fee established in this subsection shall be the only fee collected or
23 moneys in the nature of a fee collected for the court procedure. Such fee
24 shall only be established by an act of the legislature and no other authority
25 is established by law or otherwise to collect a fee.

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

31 (c) Notwithstanding the foregoing provisions of this section, the filing
32 of a notice of the pendency of an action pursuant to subsection (a) shall
33 create no lien rights against the property of an employee of the state or
34 a municipality prior to the date judgment is rendered if the pleadings in
35 the pending action allege a negligent or wrongful act or omission of the
36 employee while acting within the scope of such employee's employment,
37 regardless of whether or not it is alleged in the alternative that the em-
38 ployee was acting outside of such employee's employment. A judgment
39 against an employee shall become a lien upon such employee's property
40 in the county where notice is filed pursuant to subsection (a) when the
41 judgment is rendered only if it is found that (1) the employee's negligent
42 or wrongful act or omission occurred when the employee was acting out-
43 side the scope of such employee's employment or (2) the employee's

1 conduct which gave rise to the judgment was because of actual fraud or
2 actual malice of the employee. In such cases the lien shall not be effective
3 prior to the date judgment was rendered. As used in this subsection (c),
4 “employee” shall have the meaning ascribed to such term in K.S.A. 75-
5 6102, and amendments thereto.

6 Sec. 16. K.S.A. 2008 Supp. 61-2704 is hereby amended to read as
7 follows: 61-2704. (a) An action seeking the recovery of a small claim shall
8 be considered to have been commenced at the time a person files a writ-
9 ten statement of the person’s small claim with the clerk of the court if,
10 within 90 days after the small claim is filed, service of process is obtained
11 or the first publication is made for service by publication. Otherwise, the
12 action is deemed commenced at the time of service of process or first
13 publication. An entry of appearance shall have the same effect as service.

14 (b) Upon the filing of a plaintiff’s small claim, the clerk of the court
15 shall require from the plaintiff a docket fee of ~~\$39~~ \$48 on and after July
16 1, 2008 through June 30, 2010, and ~~\$37~~ \$46 on and after July 1, 2010, if
17 the claim does not exceed \$500; or ~~\$59~~ \$68 on and after July 1, 2008
18 through June 30, 2010, and ~~\$57~~ \$66 on and after July 1, 2010, if the claim
19 exceeds \$500; unless for good cause shown the judge waives the fee. The
20 docket fee shall be the only costs required in an action seeking recovery
21 of a small claim. No person may file more than 20 small claims under this
22 act in the same court during any calendar year.

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

27 Sec. 17. K.S.A. 2008 Supp. 61-4001 is hereby amended to read as
28 follows: 61-4001. (a) Docket fee. No case shall be filed or docketed pur-
29 suant to the code of civil procedure for limited actions without the pay-
30 ment of a docket fee in the amount of ~~\$37~~ \$46 on and after July 1, 2008
31 through June 30, 2010, and ~~\$35~~ \$44 on and after July 1, 2010, if the
32 amount in controversy or claimed does not exceed \$500; ~~\$57~~ \$66 on and
33 after July 1, 2008 through June 30, 2010, and ~~\$55~~ \$64 on and after July
34 1, 2010, if the amount in controversy or claimed exceeds \$500 but does
35 not exceed \$5,000; or ~~\$103~~ \$112 on and after July 1, 2008 through June
36 30, 2010, and ~~\$101~~ \$110 on and after July 1, 2010, if the amount in con-
37 troversy or claimed exceeds \$5,000. If judgment is rendered for the plain-
38 tiff, the court also may enter judgment for the plaintiff for the amount of
39 the docket fee paid by the plaintiff.

40 (b) Poverty affidavit; additional court costs; exemptions for the state
41 and municipalities. The provisions of subsections (b), (c) and (d) of K.S.A.
42 60-2001 and 60-2005 and amendments thereto, shall be applicable to
43 lawsuits brought under the code of civil procedure for limited actions.

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

5 Sec. 18. K.S.A. 2008 Supp. 8-2107, 8-2110, 20-1a04, 20-1a15, 20-
6 367, 23-108a, 28-170, 28-172a, 32-1049a, 38-2215, 38-2314, 59-104, 60-
7 1621, 60-2001, 60-2203a, 61-2704 and 61-4001 are hereby repealed.

8 Sec. 19. This act shall take effect and be in force from and after its
9 publication in the statute book.