

HOUSE Substitute for SENATE BILL No. 310

By Committee on Judiciary

3-19

9 AN ACT concerning marriage license fees; relating to poverty; amending
10 K.S.A. 2009 Supp. 23-108a 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. 2009 Supp. 23-108a is hereby amended to read as
14 follows: 23-108a. (a) The judge or clerk of the district court shall collect
15 from the applicant for a marriage license a fee of \$59. *In any case where*
16 *an applicant by reason of poverty is unable to pay a fee, and an affidavit*
17 *so stating is filed, no fee will be required.*

18 (b) The clerk of the court shall remit all fees prescribed by this section
19 to the state treasurer in accordance with the provisions of K.S.A. 75-4215,
20 and amendments thereto. Upon receipt of each such remittance, the state
21 treasurer shall deposit the entire amount in the state treasury. Of each
22 remittance, the state treasurer shall credit 38.98% to the protection from
23 abuse fund, 15.19% to the family and children trust account of the family
24 and children investment fund created by K.S.A. 38-1808, and amend-
25 ments thereto, 16.95% to the crime victims assistance fund created by
26 K.S.A. 74-7334, and amendments thereto, 15.25% to the judicial branch
27 nonjudicial salary adjustment fund created by K.S.A. 2009 Supp. 20-1a15,
28 and amendments thereto, and the remainder to the state general fund.

29 (c) Except as provided further, the marriage license fee established
30 in this section shall be the only fee collected or moneys in the nature of
31 a fee collected for a marriage license. Such fee shall only be established
32 by an act of the legislature and no other authority is established by law
33 or otherwise to collect a fee. On and after July 1, 2009 through June 30,
34 2010, the supreme court may impose an additional charge, not to exceed
35 \$10 per marriage license fee, to fund the costs of non-judicial personnel.

36 Sec. 2. K.S.A. 2009 Supp. 23-108a is hereby repealed.

37 Sec. 3. This act shall take effect and be in force from and after its
38 publication in the statute book.