

SENATE BILL No. 534

By Committee on Judiciary

2-4

9 AN ACT concerning criminal procedure; relating to the correctional su-
10 pervision fee; pretrial supervision fee; amending K.S.A. 21-4610a and
11 22-2814 and repealing the existing sections.
12

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

14 Section 1. K.S.A. 21-4610a is hereby amended to read as follows: 21-
15 4610a. (a) Each person placed under the probation supervision of a court
16 services officer or other officer or employee of the judicial branch by a
17 judge of the district court under K.S.A. 21-4610, and amendments
18 thereto, and each person assigned to a community correctional services
19 program shall pay a ~~probation or community correctional services~~ *cor-*
20 *rectional supervision* fee. If the person was convicted of a misdemeanor,
21 the amount of the ~~probation services~~ *correctional supervision* fee is ~~\$25~~
22 *\$120 for each year such person is under supervision*, and if the person
23 was convicted of a felony, the amount of the ~~probation or community~~
24 ~~correctional services~~ *correctional supervision* fee is ~~\$50~~ *\$240 for each year*
25 *such person is under supervision*, except that in any case the amount of
26 the ~~probation or community correctional services~~ *correctional supervision*
27 fee specified by this section may be reduced or waived by the judge if
28 the person is unable to pay that amount.

29 (b) The ~~probation or community correctional services~~ *correctional*
30 *supervision* fee imposed by this section shall be charged and collected by
31 the district court. The clerk of the district court shall remit all revenues
32 received under this section from ~~probation or community correctional~~
33 ~~services~~ *correctional supervision* fees to the state treasurer in accordance
34 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon
35 receipt of each such remittance, the state treasurer shall deposit the entire
36 amount in the state treasury to the credit of the state general fund, *a sum*
37 *equal to 20.83% of such remittance, and to the correctional supervision*
38 *fund, a sum equal to 79.16% of such remittance.*

39 (c) *There is hereby established in the state treasury the correctional*
40 *supervision fund. All moneys credited to the correctional supervision fund*
41 *shall be used for evidence based offender supervision programs by judicial*
42 *branch personnel and to support offender supervision by court services*
43 *officers. All expenditures from the correctional supervision fund shall be*

1 *made in accordance with appropriation acts upon warrants of the director*
2 *of accounts and reports issued pursuant to vouchers approved by the chief*
3 *justice of the Kansas supreme court or by a person or persons designated*
4 *by the chief justice.*

5 ~~(d)~~ *(d) This section shall apply to persons placed on felony or mis-*
6 *demeanor probation or released on misdemeanor parole to reside in Kan-*
7 *sas and supervised by Kansas court services officers under the interstate*
8 *compact for offender supervision.*

9 *(e) This section shall not apply to persons placed on probation or*
10 *released on parole to reside in Kansas under the uniform act for out-of-*
11 *state parolee supervision.*

12 Sec. 2. K.S.A. 22-2814 is hereby amended to read as follows: 22-
13 2814. *(a) Each district court may establish, operate and coordinate release*
14 *on recognizance programs and supervised release programs which pro-*
15 *vide services to the court and to persons who are, or are to be, charged*
16 *with crimes. Release on recognizance programs and supervised release*
17 *programs shall be administered by court services officers and other per-*
18 *sonnel of the district court. Participation by defendants in such programs*
19 *shall be on a voluntary basis. Nothing in K.S.A. 22-2814 through 22-2817,*
20 *and amendments thereto, shall affect the right of any person to seek or*
21 *obtain release under K.S.A. 22-2802, and amendments thereto, regardless*
22 *of participation or nonparticipation in release on recognizance programs*
23 *or supervised release programs.*

24 *(b) Each person participating in a release on recognizance program*
25 *or supervised release program shall pay a pretrial supervision fee of \$250*
26 *for each six month period such person is participating in such program.*
27 *The amount of the pretrial supervision fee specified by this section may*
28 *be reduced or waived if the person is unable to pay that amount.*

29 *(c) The pretrial supervision fee imposed by this section shall be*
30 *charged and collected by the district court. The clerk of the district court*
31 *shall remit all revenues received under this section from pretrial super-*
32 *vision fees to the state treasurer in accordance with the provisions of*
33 *K.S.A. 75-4215, and amendments thereto. Upon receipt of each such re-*
34 *mittance, the state treasurer shall deposit the entire amount in the state*
35 *treasury to the credit of the correctional supervision fund.*

36 Sec. 3. K.S.A. 21-4610a and 22-2814 are hereby repealed.

37 Sec. 4. This act shall take effect and be in force from and after its
38 publication in the statute book.