

HOUSE BILL No. 2068

By Committee on Appropriations

1-18

1 AN ACT concerning child support orders; relating to enforcement against
2 persons in arrearage; registration or renewal of registration of certain
3 vehicles and vessels; professional licensure; recreational licensure;
4 interest born on judgments; amending K.S.A. 16-204 and K.S.A. 2016
5 Supp. 8-173, 23-3120, 32-930, 32-1111 and 74-147 and repealing the
6 existing sections.

7
8 *Be it enacted by the Legislature of the State of Kansas:*

9 New Section 1. (a) (1) Upon request of the secretary for children and
10 families pursuant to this section, the division shall suspend the driver's
11 license of any license holder and shall not issue or renew a driver's license
12 to an applicant or license holder. The secretary for children and families
13 shall make such a request if, at the time of the request, the applicant or
14 license holder:

15 (A) Owes arrearages under a support order or is 15 days or more
16 delinquent making a payment under a support order in a title IV-D case
17 being administered by the secretary for children and families;

18 (B) has an outstanding warrant or subpoena, directed to the applicant,
19 in a title IV-D case being administered by the secretary for children and
20 families;

21 (C) owes arrearages under a support order or is 15 days or more
22 delinquent in making a payment under a support order, as reported to the
23 secretary for children and families by the court trustee; or

24 (D) has failed, after appropriate notice, to comply with a subpoena
25 directed to the individual by the court trustee, as reported to the secretary
26 for children and families by the court trustee.

27 (2) The division shall notify in writing any license holder of the
28 division's intention to suspend a driver's license pursuant to this section,
29 and any such suspension shall take effect after 15 days notice to the license
30 holder.

31 (3) Upon receiving a release from an authorized agent of the secretary
32 for children and families or the court trustee, the division may reinstate,
33 issue or renew the driver's license of an applicant or license holder. The
34 applicant or license holder shall have the burden of obtaining and
35 delivering the release.

36 (4) The secretary for children and families shall issue a release upon

1 request if, as appropriate:

2 (A) The arrearages are paid in full or a tribunal of competent
3 jurisdiction has determined that no arrearages are owed;

4 (B) an income withholding order has been served upon the applicant's
5 current employer or payor;

6 (C) an agreement has been completed or an order has been entered
7 setting minimum payments to defray the arrearages, together with receipt
8 of the first minimum payment;

9 (D) the applicant has complied with the warrant or subpoena or the
10 warrant or subpoena has been quashed or withdrawn; or

11 (E) the court trustee notifies the secretary for children and families
12 that the applicant has paid the arrearages in full or has complied with the
13 subpoena or the subpoena has been quashed or withdrawn.

14 (5) Nothing in this subsection shall be construed to require or permit
15 the division of vehicles to determine any issue related to a child support
16 order or related to the title IV-D case, including to resolve questions of
17 mistaken identity or determine the adequacy of any notice relating to this
18 subsection that the division of vehicles provides to the applicant.

19 (6) As used in this subsection, "arrearage," "title IV-D," "obligor" and
20 "order for support" means the same as defined in K.S.A. 2016 Supp. 23-
21 3102, and amendments thereto, except that "order for support" includes
22 only orders that provide for payment of funds for the support of a child.

23 (b) This section shall be part of and supplemental to the motor vehicle
24 drivers' license act.

25 Sec. 2. K.S.A. 2016 Supp. 8-173 is hereby amended to read as
26 follows: 8-173. (a) An application for registration of a vehicle as provided
27 in article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments
28 thereto, shall not be accepted unless the person making such application
29 shall exhibit:

30 (1) A receipt showing that such person has paid all personal property
31 taxes levied against such person for the preceding year, including taxes
32 upon such vehicle, except that if such application is made before May 11,
33 such receipt need show payment of only one-half the preceding year's tax;
34 or

35 (2) evidence that such vehicle was assessed for taxation purposes by a
36 state agency, or was assessed as stock in trade of a merchant or
37 manufacturer or was exempt from taxation under the laws of this state.

38 (b) An application for registration of a vehicle as provided in article 1
39 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto,
40 shall not be accepted if the records of the county treasurer show that the
41 applicant is delinquent and owes personal property taxes levied against the
42 applicant for any preceding year.

43 (c) An original application for registration of a motor vehicle shall

1 not be accepted until the applicant signs a certification, provided by the
2 director of motor vehicles, certifying that the applicant has and will
3 maintain, during the period of registration, the required insurance, self-
4 insurance or other financial security required pursuant to K.S.A. 40-3104,
5 and amendments thereto.

6 (d) An application for registration or renewal of registration of a
7 vehicle shall not be accepted if the applicant is unable to provide proof of
8 the insurance, self-insurance or other financial security required by article
9 31 of chapter 40 of the Kansas Statutes Annotated, and amendments
10 thereto. Proof of insurance shall be verified by examination of the
11 insurance card or other documentation issued by an insurance company, a
12 certificate of self-insurance issued by the commissioner, a binder of
13 insurance, a certificate of insurance, a motor carrier identification number
14 issued by the state corporation commission, proof of insurance for vehicles
15 covered under a fleet policy, a commercial policy covering more than one
16 vehicle or a policy of insurance required by K.S.A. 40-3104, and
17 amendments thereto, and for vehicles used as part of a drivers education
18 program, a dealership contract and a copy of a motor vehicle liability
19 insurance policy issued to a school district or accredited nonpublic school.
20 Examination of a photocopy, facsimile or an image displayed on a cellular
21 phone or any other type of portable electronic device of any of these
22 documents shall suffice for verification of registration or renewal. Any
23 person to whom such image of proof of insurance, self-insurance or other
24 financial security required by article 31 of chapter 40 of the Kansas
25 Statutes Annotated, and amendments thereto, is displayed, shall view only
26 such image displayed on such cellular phone or other portable electronic
27 device. Such person shall be prohibited from viewing any other content or
28 information stored on such cellular phone or other portable electronic
29 device. Proof of insurance may also be verified on-line or electronically
30 and the commissioner of insurance may require, by duly adopted rules and
31 regulations, any motor vehicle liability insurance company authorized to
32 do business in this state to provide verification of insurance in that manner.
33 Any motor vehicle liability insurance company which is providing
34 verification of insurance on-line or electronically on the day preceding the
35 effective date of this act may continue to do so in the same manner and
36 shall be deemed to be in compliance with this section.

37 (e) On and after January 1, 2018, an application for registration or
38 renewal of registration of a vehicle shall not be accepted, if the records of
39 the division show that after three attempts by the Kansas turnpike authority
40 to contact the registered owner, including at least one registered letter, the
41 registered owner of such vehicle has unpaid tolls and that the director of
42 the Kansas turnpike authority or the director's designee has instructed the
43 division to refuse to accept the registration or renewal of registration,

1 pursuant to K.S.A. 2016 Supp. 68-2020a, and amendments thereto, unless
2 the owner or registered owner makes payment to the county treasurer at
3 the time of registration or renewal of registration. Of such moneys
4 collected, 15% shall be retained by the county treasurer and the remainder
5 shall be remitted to the Kansas turnpike authority.

6 *(f) (1) Upon request of the secretary for children and families*
7 *pursuant to this subsection, an application for registration or renewal of*
8 *registration of a vehicle shall not be accepted, and an active registration*
9 *of a vehicle shall be suspended after 15 days' notice to the registrant. The*
10 *secretary for children and families shall make such a request if, at the time*
11 *of the request, the applicant or registrant:*

12 *(A) Owes arrearages under a support order or is 15 days or more*
13 *delinquent in making a payment under a support order in a title IV-D case*
14 *being administered by the secretary for children and families;*

15 *(B) has an outstanding warrant or subpoena, directed to the*
16 *applicant, in a title IV-D case being administered by the secretary for*
17 *children and families;*

18 *(C) owes arrearages under a support order or is 15 days or more*
19 *delinquent making a payment under a support order; as reported to the*
20 *secretary for children and families by the court trustee; or*

21 *(D) has failed, after appropriate notice, to comply with a subpoena*
22 *directed to the individual by the court trustee, as reported to the secretary*
23 *for children and families by the court trustee.*

24 *(2) Upon receiving a release from an authorized agent of the*
25 *secretary for children and families or the court trustee, an application for*
26 *registration or renewal of registration of a vehicle may be accepted or a*
27 *suspended registration of a vehicle may be reinstated. The applicant shall*
28 *have the burden of obtaining and delivering the release.*

29 *(3) The secretary for children and families shall issue a release upon*
30 *request if, as appropriate:*

31 *(A) The arrearages are paid in full or a tribunal of competent*
32 *jurisdiction has determined that no arrearages are owed;*

33 *(B) an income withholding order has been served upon the*
34 *applicant's current employer or payor;*

35 *(C) an agreement has been completed or an order has been entered*
36 *setting minimum payments to defray the arrearages, together with receipt*
37 *of the first minimum payment;*

38 *(D) the applicant has complied with the warrant or subpoena or the*
39 *warrant or subpoena has been quashed or withdrawn; or*

40 *(E) the court trustee notifies the secretary for children and families*
41 *that the applicant has paid the arrearages in full or has complied with the*
42 *subpoena or the subpoena has been quashed or withdrawn.*

43 *(4) Nothing in this subsection shall be construed to require or permit*

1 *the division of vehicles to determine any issue related to a child support*
2 *order or related to the title IV-D case, including to resolve questions of*
3 *mistaken identity or determine the adequacy of any notice relating to this*
4 *subsection that the division of vehicles provides to the applicant.*

5 (5) *As used in this subsection, "arrearage," "title IV-D," "obligor"*
6 *and "order for support" means the same as defined in K.S.A. 2016 Supp.*
7 *23-3102, and amendments thereto, except that "order for support"*
8 *includes only orders which provide for payment of funds for the support of*
9 *a child.*

10 Sec. 3. K.S.A. 16-204 is hereby amended to read as follows: 16-204.
11 Except as otherwise provided in accordance with law, and including any
12 judgment rendered on or after July 1, 1973, against the state or any agency
13 or political subdivision of the state:

14 (a) Any judgment rendered by a court of this state before July 1,
15 1980, shall bear interest as follows:

16 (1) On and after the day on which the judgment is rendered and
17 before July 1, 1980, at the rate of 8% per annum;

18 (2) on and after July 1, 1980, and before July 1, 1982, at the rate of
19 12% per annum;

20 (3) on and after July 1, 1982, and before July 1, 1986, at the rate of
21 15% per annum; and

22 (4) on and after July 1, 1986, at the rate provided by subsection (e).

23 (b) Any judgment rendered by a court of this state on or after July 1,
24 1980, and before July 1, 1982, shall bear interest as follows:

25 (1) On and after the day on which the judgment is rendered and
26 before July 1, 1982, at the rate of 12% per annum;

27 (2) on and after July 1, 1982, and before July 1, 1986, at the rate of
28 15% per annum; and

29 (3) on and after July 1, 1986, at the rate provided by subsection (e).

30 (c) Any judgment rendered by a court of this state on or after July 1,
31 1982, and before July 1, 1986, shall bear interest as follows:

32 (1) On and after the day on which the judgment is rendered and
33 before July 1, 1986, at the rate of 15% per annum; and

34 (2) on and after July 1, 1986, at the rate provided by subsection (e).

35 (d) Any judgment rendered by a court of this state on or after July 1,
36 1986, shall bear interest on and after the day on which the judgment is
37 rendered at the rate provided by subsection (e).

38 (e) (1) Except as otherwise provided in this subsection, on and after
39 July 1, 1996, the rate of interest on judgments rendered by courts of this
40 state pursuant to the code of civil procedure shall be at a rate per annum:
41 (A) Which shall change effective July 1 of each year for both judgments
42 rendered prior to such July 1 and judgments rendered during the twelve-
43 month period beginning such July 1; and (B) which is equal to an amount

1 that is four percentage points above the discount rate (the charge on loans
2 to depository institutions by the New York federal reserve bank as reported
3 in the money rates column of the Wall Street Journal) as of July 1
4 preceding the date the judgment was rendered. The secretary of state shall
5 publish notice of the interest rate provided by this ~~subsection (e) (1)~~
6 *paragraph* not later than the second issue of the Kansas register published
7 in July of each year.

8 (2) On and after the effective date of this act, the rate of interest on
9 judgments rendered by courts of this state pursuant to the code of civil
10 procedure for limited actions shall be 12% per annum.

11 (3) *Except as provided in paragraph (4)*, on and after July 1, 1996, it
12 shall be presumed that applying interest at the rate of 10% per annum will
13 result in the correct total of interest accrued on any judgments, regardless
14 of when the judgments accrued, arising from a person's duty to support
15 another person. The burden of proving that a different amount is the
16 correct total shall lie with any person contesting the presumed amount.

17 (4) *On and after July 1, 2017, the rate of interest on any judgment*
18 *rendered by a court of this state arising from a child support order shall*
19 *be 15% per annum.*

20 Sec. 4. K.S.A. 2016 Supp. 23-3120 is hereby amended to read as
21 follows: 23-3120. (a) When an order for the support of a child has been
22 entered and the court upon motion finds that the requirements of
23 subsection (b) have been met, the court shall order that a notice pursuant to
24 ~~subsection (a) of K.S.A. 74-147(a)~~, and amendments thereto, be served on
25 the licensing body. If the person who owes support is a licensed attorney,
26 the court shall file a complaint with the disciplinary administrator if the
27 licensing body is the Kansas supreme court, or the appropriate bar
28 counsel's office if the licensee practices in another state.

29 (b) The provisions of subsection (a) shall apply if the court finds,
30 after notice to all interested parties, that: (1) The support debtor owes past
31 due child support in an amount equal to or greater than ~~three six months'~~
32 *child support or \$10,000; and* (2) the support debtor is or may be licensed
33 to practice a profession by a licensing body as defined in K.S.A. 74-146,
34 and amendments thereto; ~~and (3) the debtor has failed, after a reasonable~~
35 ~~opportunity, to comply with a payment plan previously established by the~~
36 ~~court or a written payment plan agreed upon by the parties.~~

37 Sec. 5. K.S.A. 2016 Supp. 32-930 is hereby amended to read as
38 follows: 32-930. (a) Except as provided in subsection (c), the secretary or
39 the secretary's designee is authorized to issue to any Kansas resident a
40 lifetime fishing, hunting or furharvester or combination hunting and
41 fishing license upon proper application made therefor to the secretary or
42 the secretary's designee and payment of a license fee as follows: (1) A total
43 payment made at the time of purchase in the amount prescribed pursuant

1 to K.S.A. 32-988, and amendments thereto; or (2) payment may be made
2 over a two-year period in eight quarter-annual installments in the amount
3 prescribed pursuant to K.S.A. 32-988, and amendments thereto. If
4 payment is in installments, the license shall not be issued until the final
5 installment has been paid. A person making installment payments shall not
6 be required to obtain the appropriate annual license, and each installment
7 payment shall be deemed to be such an annual license for a period of one
8 year following the date of the last installment payment made. If an
9 installment payment is not received within 30 days after it is due and
10 owing, the secretary may consider the payments in default and may retain
11 any payments previously received. Any lifetime license issued to a Kansas
12 resident shall not be made invalid by reason of the holder thereof
13 subsequently residing outside the state of Kansas. Any nonresident holder
14 of a Kansas lifetime hunting or combination hunting and fishing license
15 shall be eligible under the same conditions as a Kansas resident for a big
16 game or wild turkey permit upon proper application to the secretary. Any
17 nonresident holder of a lifetime fishing license issued before July 1, 1989,
18 shall be eligible under the same conditions as a Kansas resident for a big
19 game or wild turkey permit upon proper application to the secretary.

20 (b) For the purposes of subsection (a), the term "resident" shall have
21 the meaning defined in K.S.A. 32-701, and amendments thereto, except
22 that a person shall have maintained that person's place of permanent abode
23 in this state for a period of not less than one year immediately preceding
24 the person's application for a lifetime fishing, hunting or furharvester or
25 combination hunting and fishing license.

26 (c) (1) Upon request of the secretary for children and families, the
27 secretary of wildlife, parks and tourism shall not issue a lifetime fishing,
28 hunting or furharvester or combination hunting and fishing license to an
29 applicant except as provided in this subsection. The secretary for children
30 and families may make such a request if, at the time of the request, the
31 applicant:

32 (A) ~~Owed~~ *Owes* arrearages under a support order *or is 15 days or*
33 *more delinquent in making a payment under a support order* in a title IV-D
34 case being administered by the secretary for children and families;

35 (B) ~~had~~ *has an* outstanding ~~a~~ warrant or subpoena, directed to the
36 applicant, in a title IV-D case being administered by the secretary for
37 children and families;

38 (C) *owes* arrearages under a support order *or is 15 days or more*
39 *delinquent in making a payment under a support order*, as reported to the
40 secretary for children and families by the court trustee; or

41 (D) *has failed*, after appropriate notice, to comply with a subpoena
42 directed to the individual by the court trustee, as reported to the secretary
43 for children and families by the court trustee.

1 (2) Upon receiving a release from an authorized agent of the secretary
2 for children and families or the court trustee, the secretary of wildlife,
3 parks and tourism may issue the lifetime fishing, hunting or furharvester or
4 combination hunting and fishing license. The applicant shall have the
5 burden of obtaining and delivering the release.

6 (3) The secretary for children and families shall issue a release upon
7 request if, as appropriate:

8 (A) The arrearages are paid in full or a tribunal of competent
9 jurisdiction has determined that no arrearages are owed;

10 (B) an income withholding order has been served upon the applicant's
11 current employer or payor;

12 (C) an agreement has been completed or an order has been entered
13 setting minimum payments to defray the arrearages, together with receipt
14 of the first minimum payment;

15 (D) the applicant has complied with the warrant or subpoena or the
16 warrant or subpoena has been quashed or withdrawn; or

17 (E) the court trustee notifies the secretary for children and families
18 that the applicant has paid the arrearages in full or has complied with the
19 subpoena or the subpoena has been quashed or withdrawn.

20 (d) (1) Upon request of the secretary for children and families, the
21 secretary of wildlife, parks and tourism shall suspend a lifetime fishing,
22 hunting or furharvester or combination hunting and fishing license to a
23 licensee as provided in this subsection, *after 15 days' notice to the*
24 *licensee*. The secretary for children and families may make such a request
25 if, at the time of the request, the applicant ~~owed~~ *owes* arrearages under a
26 support order or ~~had has an~~ *outstanding* a warrant or subpoena as stated in
27 subsection (c)(1).

28 (2) Upon receiving a release from an authorized agent of the secretary
29 for children and families or the court trustee, the secretary of wildlife,
30 parks and tourism may reinstate the lifetime fishing, hunting or
31 furharvester or combination hunting and fishing license. The licensee shall
32 have the burden of obtaining and delivering the release.

33 (3) The secretary for children and families shall issue a release upon
34 request if the requirements of subsection (c)(3) are met.

35 (e) Nothing in subsection (c) or (d) shall be construed to require or
36 permit the secretary of wildlife, parks and tourism to determine any issue
37 related to a child support order or related to the title IV-D case including to
38 resolve questions of mistaken identity or determine the adequacy of any
39 notice relating to subsection (c) or (d) that the secretary of wildlife, parks
40 and tourism provides to the applicant.

41 (f) "Title IV-D" means part D of title IV of the federal social security
42 act, 42 U.S.C. § 651 et seq., as in effect on December 31, 2001, relating to
43 child support enforcement services.

1 (g) The secretary, in accordance with K.S.A. 32-805, and
2 amendments thereto, may adopt rules and regulations necessary to carry
3 out the provisions of this section.

4 Sec. 6. K.S.A. 2016 Supp. 32-1111 is hereby amended to read as
5 follows: 32-1111. (a) The owner of each vessel requiring numbering by
6 this state shall file an application for number with the secretary on forms
7 approved by the secretary. The application shall be signed by the owner of
8 the vessel and shall be accompanied by the vessel registration fee
9 prescribed pursuant to K.S.A. 32-1172, and amendments thereto, and by
10 proof of payment of any tax imposed under the provisions of K.S.A. 12-
11 187, 12-198, the Kansas retailers' sales tax act or the Kansas compensating
12 tax act, and amendments thereto, as the case requires, upon forms devised
13 and furnished by the department of revenue to every county treasurer for
14 such purpose. Upon receipt of the application in approved form and proof
15 of payment of sales or compensating tax, the secretary shall enter the same
16 upon the records of the department and issue to the applicant a certificate
17 of number stating the number awarded to the vessel and the name and
18 address of the owner. Unless otherwise provided by rules and regulations,
19 the owner shall paint on or attach to each side of the bow of the vessel the
20 identification number in such manner as prescribed by rules and
21 regulations of the secretary in order that it may be clearly visible. The
22 number shall be maintained in legible condition. The certificate of number
23 shall be pocket size and, unless otherwise provided by rules and
24 regulations, shall be available at all times for inspection on the vessel for
25 which issued, whenever such vessel is in operation. No person charged
26 with a violation of the preceding sentence shall be convicted of such
27 offense if such person produces in court or the office of the arresting
28 officer a certificate of number issued and valid at the time of such person's
29 arrest.

30 (b) The owner of any vessel already covered by a number in full force
31 and effect which has been awarded to it pursuant to the then operative
32 federal law or a federally approved numbering system of another state
33 shall record the number prior to operating the vessel on the waters of this
34 state in excess of the 60-day reciprocity period provided for in ~~subsection~~
35 ~~(1)~~ of K.S.A. 32-1113(1), and amendments thereto. Such recordation shall
36 be in the manner and pursuant to the procedure required for the award of a
37 number under this subsection, including the submission of proof of
38 payment of sales or compensating tax, except that no additional or
39 substitute number shall be issued.

40 (c) Should the ownership of a numbered vessel change, a new
41 application form with fee and proof of payment of sales or compensating
42 tax shall be filed with the secretary and a new certificate of number shall
43 be awarded in the same manner as provided for in an original award of

1 number, except that where the state of principal use remains unchanged the
2 number may be identical with the previous one.

3 (d) If an agency of the United States government has in force an
4 overall system of identification numbering for vessels within the United
5 States, the numbering system employed pursuant to this act by the
6 secretary shall be in conformity therewith.

7 (e) The secretary may award any certificate of number directly or
8 may authorize any person to act as agent for the awarding thereof. If a
9 person accepts such authorization, such person may be assigned a block of
10 numbers and certificates therefor which upon award, in conformity with
11 this act and with any rules and regulations of the secretary, shall be valid
12 as if awarded directly by the secretary.

13 (f) All records of the secretary made or kept pursuant to this section
14 shall be public records.

15 (g) Every certificate of number awarded pursuant to this act shall
16 continue in full force and effect for a period of three years unless sooner
17 terminated or discontinued in accordance with the provisions of this act.
18 Certificates of number may be renewed by the owner in the same manner
19 provided for in the initial securing of the number.

20 (h) The secretary shall fix a day and month of the year on which
21 certificates of number due to expire during the calendar year shall lapse
22 and no longer be of any force and effect unless renewed pursuant to this
23 act.

24 (i) The owner shall furnish the secretary notice of the transfer of all or
25 any part of such owner's interest other than the creation of a security
26 interest in a vessel numbered in this state pursuant to subsections (a) and
27 (b) or of the destruction or abandonment of such vessel within 15 days
28 thereof. Such transfer, destruction, or abandonment shall terminate the
29 certificate of number for such vessel and the certificate of number shall be
30 surrendered to the secretary as a part of the notification of transfer,
31 destruction, or abandonment except, that in the case of a transfer of a part
32 interest which does not affect the owner's right to operate such vessel, such
33 transfer shall not terminate the certificate of number.

34 (j) Any holder of a certificate of number shall notify the secretary
35 within 15 days if the holder's address no longer conforms to the address
36 appearing on the certificate and shall, as a part of such notification, furnish
37 the secretary with a new address. The secretary may provide by rules and
38 regulations for the surrender of the certificate bearing the former address
39 and its replacement with a certificate bearing the new address or for the
40 alteration of an outstanding certificate to show the new address of the
41 holder.

42 (k) No number other than the number awarded to a vessel or granted
43 reciprocity pursuant to this act shall be painted, attached, or otherwise

1 displayed on either side of the bow of such vessel.

2 (l) If a certificate of number becomes lost, destroyed, mutilated or
3 illegible, the owner of the vessel for which the same was issued may
4 obtain a duplicate of such certificate upon application therefor to the
5 secretary. The application shall be in writing, shall describe the
6 circumstances of the loss or destruction and shall be accompanied by the
7 duplicate fee prescribed pursuant to K.S.A. 32-1172, and amendments
8 thereto.

9 (m) The secretary is authorized, in the secretary's discretion, to
10 provide and have issued for vessels requiring registration and numbering
11 under this act, a 30-day temporary registration permit for the temporary
12 vessel registration fee prescribed pursuant to K.S.A. 32-1172, and
13 amendments thereto.

14 Such permits shall be in the form as prescribed by the secretary and
15 available for purchase or resale by any person designated by the secretary.
16 In addition to the permit fee, any person selling such temporary permits
17 may collect a service charge of not to exceed \$1 for each permit issued.

18 Such temporary permit shall expire 30 days from the date of issuance.

19 (n) (1) The owner of any vessel documented by the United States
20 coast guard and the new owner of any vessel, who upon the sale or transfer
21 of the vessel that documents the vessel with the United States coast guard,
22 shall apply for a vessel certificate of registration and pay a fee equal to the
23 amount required for a vessel registration pursuant to K.S.A. 32-1172, and
24 amendments thereto, before using such vessel on the waters of this state.
25 The application shall include the county in which such vessel will be
26 normally maintained by the owner and any other information required by
27 the secretary.

28 A certificate of registration and a set of registration decals in the form
29 prescribed by the secretary shall be issued for a documented vessel. A
30 nonresident shall make application for a vessel certificate of registration
31 within 60 days after acquiring a vessel in this state or bringing a vessel
32 into this state if the vessel will be kept in this state for a period in excess of
33 60 consecutive days. A delinquency penalty fee of \$20 shall be imposed
34 for each 30 days of delinquency, not to exceed a total of \$60. If the
35 secretary learns that any person failed to acquire a vessel certificate of
36 registration in accordance with this section or has sold a vessel
37 documented by the United States coast guard without obtaining a
38 certificate of registration as provided by this section, the secretary shall
39 cancel the registration of all vessels registered in the name of the person,
40 whether as sole owner or a co-owner, and shall notify the person that the
41 cancellation will remain in force until the person pays the delinquency
42 penalty fee together with all fees, charges and payments which the person
43 should have paid in connection with the vessel certificate of registration.

1 The secretary shall maintain a listing of such registered documented
2 vessels, to be supplied to the county assessor of each county in the state as
3 required under K.S.A. 32-1104, and amendments thereto. Such vessels
4 shall not be included in the total number of registered vessels of the state
5 applied toward the number reflected on any United States coast guard
6 grants, where prohibited.

7 (2) The registration decals for any vessel documented by the United
8 States coast guard shall be in force and effect for a period of three years so
9 long as the vessel is owned or held by the original holder of the certificate
10 of registration and shall be renewed upon application and payment of a
11 registration renewal fee equal to the amount required for a vessel
12 registration pursuant to K.S.A. 32-1172, and amendments thereto. The
13 owner shall attach the registration decals to both sides of the forward half
14 of the bow of the documented vessel in a place that is fully visible.

15 (3) Upon the sale or transfer of any vessel documented by the United
16 States coast guard, the new owner shall submit, in addition to the properly
17 assigned certificate of registration, proof of release from the
18 documentation of the United States coast guard and shall comply with the
19 provisions of this section. If the new owner elects not to document the
20 vessel with the United States coast guard, the owner shall comply with the
21 applicable provisions for registering vessels in this state.

22 (4) The certificate of registration shall be available at all times for
23 inspection on the vessel for which it is issued, whenever the vessel is in
24 operation, moored or occupied while on waters within this state.

25 (o) *(1) Upon request of the secretary for children and families*
26 *pursuant to this subsection, the secretary of wildlife, parks and tourism*
27 *shall not issue or renew a certificate of number or vessel registration to an*
28 *owner and shall suspend an active certificate of number or vessel*
29 *registration after 30 days' notice to the registrant. The secretary for*
30 *children and families may make such a request if, at the time of the*
31 *request, the owner:*

32 *(A) Owes arrearages under a support order in a title IV-D case being*
33 *administered by the secretary for children and families valued at \$10,000*
34 *or six months of payments under the support order;*

35 *(B) has an outstanding warrant or subpoena, directed to the owner,*
36 *in a title IV-D case being administered by the secretary for children and*
37 *families;*

38 *(C) owes arrearages under a support order that provides for payment*
39 *of funds for the support of a child, valued at \$10,000 or six months of*
40 *payments under the support order, as reported to the secretary for children*
41 *and families by the court trustee; or*

42 *(D) has failed, after appropriate notice, to comply with a subpoena*
43 *directed to the individual by the court trustee as reported to the secretary*

1 *for children and families by the court trustee.*

2 (2) *Upon receiving a release from an authorized agent of the*
3 *secretary for children and families or the court trustee, the secretary of*
4 *wildlife, parks and tourism may issue or renew a certificate of number or*
5 *vessel registration or reinstate a suspended certificate of number or vessel*
6 *registration. The owner shall have the burden of obtaining and delivering*
7 *the release.*

8 (3) *The secretary for children and families shall issue a release upon*
9 *request if, as appropriate:*

10 (A) *The arrearages are paid in full or a tribunal of competent*
11 *jurisdiction has determined that no arrearages are owed;*

12 (B) *the owner has complied with the warrant or subpoena or the*
13 *warrant or subpoena has been quashed or withdrawn; or*

14 (C) *the court trustee notifies the secretary for children and families*
15 *that the owner has paid the arrearages in full or has complied with the*
16 *subpoena or the subpoena has been quashed or withdrawn.*

17 (4) *Nothing in this subsection shall be construed to require or permit*
18 *the secretary of wildlife, parks and tourism to determine any issue related*
19 *to a child support order or related to the title IV-D case, including to*
20 *resolve questions of mistaken identity or determine the adequacy of any*
21 *notice relating to this subsection that the secretary of wildlife, parks and*
22 *tourism provides to the owner.*

23 (5) *As used in this subsection, "arrearage," "title IV-D," "obligor"*
24 *and "order for support" means the same as defined in K.S.A. 2016 Supp.*
25 *23-3102, and amendments thereto, except that "order for support"*
26 *includes only orders which provide for payment of funds for the support of*
27 *a child.*

28 (p) *The secretary shall adopt, in accordance with K.S.A. 32-805, and*
29 *amendments thereto, rules and regulations for the administration of the*
30 *provisions of this section, including but not limited to numbering*
31 *applications, certificates of number, temporary 30-day permits, display of*
32 *number and reports on change of address, destruction and sale or transfer*
33 *of ownership.*

34 Sec. 7. K.S.A. 2016 Supp. 74-147 is hereby amended to read as
35 follows: 74-147. (a) Any notice to a licensing body served pursuant to
36 K.S.A. 20-1204a, and amendments thereto, shall have attached a copy of
37 the court order finding the licensee in contempt of court in a child support
38 proceeding. Any notice to a licensing body served pursuant to K.S.A. 2016
39 Supp. 23-3119, and amendments thereto, shall have attached a copy of the
40 warrant or subpoena outstanding against the licensee. Any notice to a
41 licensing body served pursuant to K.S.A. 2016 Supp. 23-3120, and
42 amendments thereto, shall have attached a copy of the court order stating
43 the findings of fact required by K.S.A. 2016 Supp. 23-3120, and

1 amendments thereto. The notice shall advise the licensing body of the duty
2 to comply with K.S.A. 74-146 and 74-147, and amendments thereto; shall
3 provide the name of the licensee and information which will assist the
4 licensing body to identify the correct person; and shall provide the name,
5 mailing address and telephone number of the person serving the notice. If
6 inadequate identifying information is included in the notice, the licensing
7 body shall promptly contact the person serving the notice to request
8 additional information.

9 (b) If a licensing body receives a notice pursuant to subsection (a),
10 the licensing body shall, within 30 days after receiving the notice, notify
11 the licensee of the licensing body's intent to suspend or to withhold
12 issuance or renewal of the licensee's authorization to practice a profession
13 in this state and of the licensee's rights and duties under this section. If the
14 licensing body does not receive sufficient information with the notice to
15 identify the correct licensee, the 30 days shall commence when sufficient
16 identifying information is received.

17 (c) (1) If the licensing body receives a notice pursuant to subsection
18 (a), *except for a notice received pursuant to K.S.A. 2016 Supp. 23-3120,*
19 *and amendments thereto,* the licensing body shall provide the licensee a
20 temporary license, authorizing the individual to practice a profession in
21 this state, if the licensee is otherwise eligible. The temporary license shall
22 be valid for a period of six months from the date the notice to the licensee
23 pursuant to subsection (b) was issued. A temporary license issued under
24 this section shall not be extended, except that the licensing body may
25 extend the temporary license up to 30 days to prevent extreme hardship for
26 a person being served by the licensee. If the licensee does not furnish a
27 release pursuant to subsection ~~(e)~~ (e) within the time required by the
28 licensing body, the licensing body shall proceed to suspend, terminate,
29 deny or refuse to renew the licensee's authority to practice a profession in
30 this state.

31 (2) *If a licensing body receives a notice described in subsection (a)*
32 *pursuant to K.S.A. 2016 Supp. 23-3120, and amendments thereto, the*
33 *licensing body shall suspend the licensee's authorization to practice a*
34 *profession in this state after 30 days' notice to the licensee pursuant to*
35 *subsection (b). A license suspended under this paragraph shall be*
36 *reinstated only if the licensee furnishes a release obtained pursuant to*
37 *subsection (e) indicating that the licensee has paid any owed child support*
38 *payments in full.*

39 (d) If an authorization to practice a profession in this state is
40 suspended, denied or not renewed pursuant to this section, any funds paid
41 by the licensee shall not be refunded by the licensing body.

42 (e) If a temporary license has been issued pursuant to subsection (c),
43 the licensee shall obtain a release from the court that authorized the notice

1 to the licensing body, as a condition for the issuance or renewal of the
2 licensee's authorization to practice a profession in this state. The licensing
3 body may require the licensee to furnish the release before the temporary
4 license expires.

5 (f) In any review of the licensing body's actions pursuant to K.S.A.
6 74-146 and 74-147, and amendments thereto, conducted by the licensing
7 body at the request of the licensee, the issues shall be limited to the
8 identity of the licensee and the validity of notices pursuant to this section.
9 The licensing body shall have no jurisdiction over issues related to the
10 support obligation of the licensee.

11 (g) The licensing body shall immediately terminate any proceedings,
12 concerning a court order for support of a child, against a licensee upon
13 presentation by the licensee of a notice of compliance from the court that
14 authorized the initial notice as provided in subsection (a). The court shall
15 issue a notice of compliance to the licensee if the licensee has contacted
16 the court and is attempting to comply with a payment plan. If the licensee's
17 license has been suspended or not renewed, and the licensee has provided
18 the notice of compliance from the court and otherwise qualifies for the
19 license, the licensing body shall reinstate the license or issue the renewal
20 license to the licensee.

21 Sec. 8. K.S.A. 16-204 and K.S.A. 2016 Supp. 8-173, 23-3120, 32-
22 930, 32-1111 and 74-147 are hereby repealed.

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