

HOUSE BILL No. 2473

By Representatives Highberger and Neelly

1-10

1 AN ACT concerning law libraries; relating to the board of trustees;
2 removing the requirement that all district court judges serve on the
3 board of trustees of the Douglas county law library; amending K.S.A.
4 2021 Supp. 20-3127 and repealing the existing section.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2021 Supp. 20-3127 is hereby amended to read as
8 follows: 20-3127. (a) Except as provided further, all fees collected
9 pursuant to K.S.A. 20-3126, and amendments thereto, shall be used to
10 establish and maintain the county law library. A board of trustees,
11 appointed as provided in this section, shall have the management and
12 control of such library and shall use the fees paid for registration, and all
13 other sums, books, or library materials or equipment donated or provided
14 by law, for the purpose of establishing and maintaining such library in the
15 county courthouse or other suitable place to be provided and maintained
16 by the county commissioners of such county, including acquiring and
17 maintaining materials and technology that may, at the discretion of the
18 board of trustees, be loaned to library users for use outside the premises of
19 the library. The district judge or district judges of the district court,
20 members of the bar who have registered and paid the fee provided for in
21 K.S.A. 20-3126, and amendments thereto, judges of all other courts in the
22 county and county officials shall have the right to use the library in
23 accordance with the rules and regulations established by the board of
24 trustees. The board of trustees shall develop guidelines to provide
25 members of the public reasonable access to the law library.

26 (b) (1) The board of trustees of any law library established or
27 governed under this act, ~~and amendments thereto,~~ in Johnson ~~and,~~
28 Sedgwick ~~and Douglas~~ counties shall consist of *the following* five
29 members;:

30 (A) ~~Two of which shall be~~ judges of the district court, appointed by a
31 consensus of all judges of the district court in ~~those counties,~~ *such county;*
32 and

33 (B) ~~three of which shall be~~ members of the Johnson or Sedgwick
34 ~~county~~ *such county's* bar association, appointed by selection of the county
35 bar association pursuant to the ~~Johnson or Sedgwick~~ county bar
36 association's bylaws for two-year terms.

1 (2) The board of trustees of the law library in all other counties shall
2 consist of the district judge or judges of the district court presiding in such
3 county and not less than two attorneys who shall be elected for two-year
4 terms by a majority of the attorneys residing in the county.

5 (c) The clerk of the district court of the county shall be treasurer of
6 the library and shall safely keep the funds of such library and disburse
7 them as the trustees shall direct. The clerk shall be liable on an official
8 bond for any failure, refusal or neglect in performing such duties.

9 (d) The board of county commissioners of any county designated an
10 urban area pursuant to K.S.A. 19-2654, and amendments thereto, wherein
11 an election has been held to come under the provisions of this act is hereby
12 authorized to appoint, by and with the advice and consent of the board of
13 trustees of the law library of such county, a librarian, who shall act as
14 custodian of the law library of such county and shall assist in the
15 performance of the clerk's duties as treasurer thereof, and such assistants
16 as are necessary to perform the duties of administering the law library. The
17 librarian and any assistants so appointed shall be employees of the county
18 under the supervision of the board of county commissioners, or the board's
19 designated official, with the advice and recommendations of the board of
20 trustees of the law library, and shall be subject to the personnel policies
21 and procedures established by the board of county commissioners for all
22 employees of the county. The librarian and any assistants shall receive as
23 compensation such salaries and benefits as established by the law library
24 board of trustees, subject to the approval of the board of county
25 commissioners, which shall be payable from the general fund of the
26 county, through the county payroll process, from funds budgeted and made
27 available by the law library board of trustees for that purpose through the
28 collection of fees or other funds authorized by this act.

29 (e) All attorneys registered under this act shall not be liable to pay
30 any occupational tax or city license fees levied under the laws of this state
31 by any municipality.

32 (f) (1) Except as provided by subsection (f)(2), the board of trustees
33 of a county law library established pursuant to this section may authorize
34 the chief judge of the judicial district to use fees collected pursuant to
35 K.S.A. 20-3126, and amendments thereto, for the purpose of facilitating
36 and enhancing functions of the district court of the county. No judge shall
37 participate in any decision made by the board of trustees of a county law
38 library pursuant to this paragraph to authorize the chief judge of the
39 judicial district to use fees collected pursuant to K.S.A. 20-3126, and
40 amendments thereto.

41 (2) The provisions of subsection (f)(1) shall not apply to the board of
42 trustees of any law library established in Johnson and Sedgwick counties.

43 Sec. 2. K.S.A. 2021 Supp. 20-3127 is hereby repealed.

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