

HOUSE BILL No. 2491

By J. Russell (Russ) Jennings Joint Committee on Corrections and Juvenile Justice Oversight

1-10

1 AN ACT concerning the law enforcement training center; abolishing the
2 law enforcement training center fund; transferring all moneys and
3 liabilities of such fund to the state general fund; crediting moneys to the
4 state general fund that had previously been credited to the law
5 enforcement training center fund; amending K.S.A. 8-145, 8-1,177, 12-
6 4117, 20-362 and 74-5619 and repealing the existing sections.
7

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

9 Section 1. K.S.A. 8-145 is hereby amended to read as follows: 8-145.

10 (a) All registration and certificates of title fees shall be paid to the division
11 of vehicles, a contractor of the division or the county treasurer of the
12 county in which the applicant for registration resides or has an office or
13 principal place of business within this state. The division, contractor or the
14 county treasurer shall issue a receipt to the applicant for such fees paid.

15 (b) The county treasurer, division or contractor shall deposit \$.75 out
16 of each license application, \$.75 out of each application for transfer of
17 license plate and \$2 out of each application for a certificate of title,
18 collected under this act, in a special fund, which fund is hereby
19 appropriated for the use of the county treasurer, division or contractor in
20 paying for necessary help and expenses incidental to the administration of
21 duties in accordance with the provisions of this law. The county treasurer
22 shall receive extra compensation for the services performed in
23 administering the provisions of this act, which compensation shall be in
24 addition to any other compensation provided by any other law, except that
25 the county treasurer shall receive as additional compensation for
26 administering the motor vehicle title and registration laws and fees, a sum
27 computed as follows: The county treasurer, during the month of December,
28 shall determine the amount to be retained for extra compensation not to
29 exceed the following amounts each year for calendar year 2006 or any
30 calendar year thereafter: The sum of \$110 per hundred registrations for the
31 first 5,000 registrations; the sum of \$90 per hundred registrations for the
32 second 5,000 registrations; the sum of \$5 per hundred for the third 5,000
33 registrations; and the sum of \$2 per hundred registrations for all
34 registrations thereafter. In no event, however, shall any county treasurer be
35 entitled to receive more than \$15,000 additional annual compensation.

1 If more than one person shall hold the office of county treasurer during
2 any one calendar year, such compensation shall be prorated among such
3 persons in proportion to the number of weeks served. The total amount of
4 compensation paid the treasurer together with the amounts expended in
5 paying for other necessary help and expenses incidental to the
6 administration of the duties of the county treasurer in accordance with the
7 provisions of this act, shall not exceed the amount deposited in such
8 special fund. Any balance remaining in such fund at the close of any
9 calendar year shall be withdrawn and credited to the general fund of the
10 county prior to June 1 of the following calendar year.

11 (c) The county treasurer, division or contractor shall remit the
12 remainder of all such fees collected, together with the original copy of all
13 applications, to the secretary of revenue. The secretary of revenue shall
14 remit all such fees remitted to the state treasurer in accordance with the
15 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
16 each such remittance, the state treasurer shall deposit the entire amount in
17 the state treasury to the credit of the state highway fund, except as
18 provided in subsection (d).

19 (d) (1) Three dollars and fifty cents of each certificate of title fee
20 collected and remitted to the secretary of revenue, shall be remitted to the
21 state treasurer who shall credit such \$3.50 to the Kansas highway patrol
22 motor vehicle fund. Three dollars of each certificate of title fee collected
23 and remitted to the secretary of revenue, shall be remitted to the state
24 treasurer who shall credit such \$3 to the VIPS/CAMA technology
25 hardware fund.

26 (2) For repossessed vehicles, \$3 of each certificate of title fee
27 collected shall be retained by the contractor or county treasurer who
28 processed the application.

29 (3) Three dollars and fifty cents of each reassignment form fee
30 collected and remitted to the secretary of revenue, shall be remitted to the
31 state treasurer who shall credit such \$3.50 to the Kansas highway patrol
32 motor vehicle fund. Three dollars of each reassignment form fee collected
33 and remitted to the secretary of revenue, shall be remitted to the state
34 treasurer who shall credit such \$3 to the VIPS/CAMA technology
35 hardware fund.

36 (4) Four dollars of each division of vehicles modernization surcharge
37 collected and remitted to the secretary of revenue, shall be remitted to the
38 state treasurer who shall credit such \$4 to the state highway fund.

39 (5) Two dollars of each Kansas highway patrol staffing and training
40 surcharge collected and remitted to the secretary of revenue, shall be
41 remitted to the state treasurer who shall credit such \$2 to the Kansas
42 highway patrol staffing and training fund.

43 (6) One dollar and twenty-five cents of each ~~law enforcement training~~

1 ~~center~~ surcharge collected and remitted to the secretary of revenue
2 *pursuant to K.S.A. 8-1,177, and amendments thereto*, shall be remitted to
3 the state treasurer who shall credit such \$1.25 to the ~~law enforcement~~
4 ~~training center~~ *state general fund*.

5 (7) Fees collected in K.S.A. 8-135 and 8-145, and amendments
6 thereto, that are collected by the division for commercial motor vehicles or
7 vehicles that are part of a commercial fleet, shall be remitted to the state
8 treasurer, who shall credit such amounts to the commercial vehicle
9 administrative fund.

10 (8) Fees collected in K.S.A. 8-135 and 8-145, and amendments
11 thereto, that are collected by the division for vehicles that are part of a fleet
12 rental pursuant to K.S.A. 8-1,189, and amendments thereto, shall be
13 remitted to the state treasurer, who shall credit such amounts to the fleet
14 rental vehicle administration fund.

15 Sec. 2. K.S.A. 8-1,177 is hereby amended to read as follows: 8-1,177.
16 In addition to any registration fee prescribed under article 1 of chapter 8 of
17 the Kansas Statutes Annotated, and amendments thereto, all applicants for
18 vehicle registration shall pay, at the time of registration, a nonrefundable
19 ~~law enforcement training center~~ surcharge in the amount of \$1.25 for each
20 vehicle being registered.

21 Sec. 3. K.S.A. 12-4117 is hereby amended to read as follows: 12-
22 4117.(a) In each case filed in municipal court other than a nonmoving
23 traffic violation, where there is a finding of guilty or a plea of guilty, a plea
24 of no contest, forfeiture of bond or a diversion, a sum in an amount of
25 \$22.50 shall be assessed and such assessment shall be credited as follows:

26 One dollar to the local law enforcement training reimbursement fund
27 established pursuant to K.S.A. 74-5620, and amendments thereto, \$11.50
28 to the ~~law enforcement training center fund established pursuant to K.S.A.~~
29 ~~74-5619, and amendments thereto~~ *state general fund*, \$5 to the Kansas
30 commission on peace officers' standards and training fund established by
31 K.S.A. 74-5619, and amendments thereto, \$2 to the juvenile alternatives to
32 detention fund established pursuant to K.S.A. 79-4803, and amendments
33 thereto, to be expended for operational costs of facilities for the detention
34 of juveniles, \$.50 to the protection from abuse fund established pursuant to
35 K.S.A. 74-7325, and amendments thereto, \$.50 to the crime victims
36 assistance fund established pursuant to K.S.A. 74-7334, and amendments
37 thereto, \$1 to the trauma fund established pursuant to K.S.A. 75-5670, and
38 amendments thereto, and \$1 to the department of corrections forensic
39 psychologist fund established pursuant to K.S.A. 75-52,151, and
40 amendments thereto.

41 (b) The judge or clerk of the municipal court shall remit the
42 appropriate assessments received pursuant to this section to the state
43 treasurer in accordance with the provisions of K.S.A. 75-4215, and

1 amendments thereto. Upon receipt of each such remittance, the state
2 treasurer shall deposit the entire amount in the state treasury to the credit
3 of the local law enforcement training reimbursement fund, ~~the law~~
4 ~~enforcement training center fund~~, the Kansas commission on peace
5 officers' standards and training fund, the juvenile alternatives to detention
6 fund, the crime victims assistance fund, the trauma fund ~~and~~, the
7 department of corrections forensic psychologist fund *and the state general*
8 *fund* as provided in this section.

9 (c) For the purpose of determining the amount to be assessed
10 according to this section, if more than one complaint is filed in the
11 municipal court against one individual arising out of the same incident, all
12 such complaints shall be considered as one case.

13 Sec. 4. K.S.A. 20-362 is hereby amended to read as follows: 20-362.
14 The clerk of the district court shall remit all revenues received from docket
15 fees as follows:

16 (a) At least monthly to the county treasurer, for deposit in the county
17 treasury and credit to the county general fund:

18 (1) A sum equal to \$10 for each docket fee paid pursuant to K.S.A.
19 60-2001 and 60-3005, and amendments thereto, during the preceding
20 calendar month;

21 (2) a sum equal to \$10 for each \$46 or \$76 docket fee paid pursuant
22 to ~~K.S.A. 61-4001~~, or K.S.A. 61-2704 ~~or~~, 61-2709 *or 61-4001*, and
23 amendments thereto; and

24 (3) a sum equal to \$5 for each \$26 docket fee paid pursuant to K.S.A.
25 ~~61-4001~~ or 61-2704 *or 61-4001*, and amendments thereto, during the
26 preceding calendar month.

27 (b) At least monthly to the board of trustees of the county law library
28 fund, for deposit in the fund, a sum equal to the library fees paid during the
29 preceding calendar month for cases filed in the county.

30 (c) At least monthly to the county treasurer, for deposit in the county
31 treasury and credit to the prosecuting attorneys' training fund, a sum equal
32 to \$2 for each docket fee paid pursuant to K.S.A. 28-172a, and
33 amendments thereto, during the preceding calendar month for cases filed
34 in the county and a sum equal to \$1 for each fee paid pursuant to K.S.A.
35 28-170(c), and amendments thereto, during the preceding calendar month
36 for cases filed in the county.

37 (d) ~~To the state treasurer, in accordance with the provisions of K.S.A.~~
38 ~~75-4215, and amendments thereto, for deposit in the state treasury and~~
39 ~~credit to the law enforcement training center fund a sum equal to \$15 for~~
40 ~~each docket fee paid pursuant to K.S.A. 28-172a, and amendments thereto,~~
41 ~~during the preceding calendar month.~~

42 (e) ~~To the state treasurer, in accordance with the provisions of K.S.A.~~
43 ~~75-4215, and amendments thereto, for deposit in the state treasury a sum~~

1 equal to the balance that remains from all docket fees paid during the
2 preceding calendar month after deduction of the amounts specified in
3 subsections (a), (b), (c) and (d). During the fiscal year ending June 30,
4 2022, and each fiscal year thereafter, of the remainder, the state treasurer
5 shall deposit and credit the first \$1,500,000 to the electronic filing and
6 management fund created in K.S.A. ~~2022 Supp.~~ 20-1a20, and amendments
7 thereto. Of the balance that remains after deduction of the amounts
8 specified in this subsection, the state treasurer shall deposit and credit the
9 remainder to the state general fund.

10 Sec. 5. K.S.A. 74-5619 is hereby amended to read as follows: 74-
11 5619. (a) ~~(1) There is hereby created in the state treasury the law~~
12 ~~enforcement training center fund. All moneys credited to such fund under~~
13 ~~the provisions of this act or any other law shall be expended only for the~~
14 ~~purpose and in the manner prescribed by law. On July 1, 2024: (A) The~~
15 ~~director of accounts and reports shall transfer all moneys in the law~~
16 ~~enforcement training center fund established pursuant to this section,~~
17 ~~prior to its amendment by this act, to the state general fund; (B) all~~
18 ~~liabilities of the law enforcement training center fund are hereby~~
19 ~~transferred to and imposed on the state general fund; and (C) the law~~
20 ~~enforcement training center fund is hereby abolished.~~

21 (2) All moneys received for assessments as provided pursuant to
22 K.S.A. 74-5607, and amendments thereto, shall be remitted to the state
23 treasurer in accordance with the provisions of K.S.A. 75-4215, and
24 amendments thereto. Upon receipt of each such remittance, the state
25 treasurer shall deposit the entire amount in the state treasury to the credit
26 of the ~~law enforcement training center~~ state general fund.

27 (b) There is hereby created in the state treasury the Kansas
28 commission on peace officers' standards and training fund. All moneys
29 credited to such fund under the provisions of this act or any other law shall
30 be expended only for the purpose of the operation of the commission to
31 carry out its powers and duties as mandated by law. The director may
32 apply for and receive public or private grants, gifts and donations of
33 money for the commission. All moneys received from grants, gifts and
34 donations shall be remitted to the state treasurer in accordance with the
35 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
36 each such remittance, the state treasurer shall deposit the entire amount in
37 the state treasury to the credit of the Kansas commission on peace officers'
38 standards and training fund.

39 (c) ~~The moneys credited to the funds created in subsections (a) and~~
40 ~~(b) Kansas commission on peace officers' standards and training fund~~
41 shall be used for the purposes set forth in this section and for no other
42 governmental purposes. It is the intent of the legislature that the moneys
43 deposited in ~~these funds~~ the fund shall remain intact and inviolate for the

1 purposes set forth in this section.

2 (d) This section shall be part of and supplemental to the Kansas law
3 enforcement training act.

4 Sec. 6. K.S.A. 8-145, 8-1,177, 12-4117, 20-362 and 74-5619 are
5 hereby repealed.

6 Sec. 7. This act shall take effect and be in force from and after its
7 publication in the statute book.