

## HOUSE BILL No. 2491

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

1-10

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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.