

SENATE BILL No. 523

By Committee on Judiciary

2-6

AN ACT concerning debts owed to the courts; relating to registration of motor vehicles; amending K.S.A. 8-173 and repealing the existing section.

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

Section 1. K.S.A. 8-173 is hereby amended to read as follows: 8-173.

(a) An application for registration of a vehicle as provided in article 1 of chapter 8 of the Kansas Statutes Annotated and amendments thereto, shall not be accepted unless the person making such application ~~shall exhibit~~ *exhibits*:

(1) A receipt showing that such person has paid all personal property taxes levied against such person for the preceding year, including taxes upon such vehicle, except that if such application is made before June 21 such receipt need show payment of only one-half the preceding year's tax; or

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

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

(c) An application for registration or renewal of registration of a motor vehicle shall not be accepted until the applicant signs a certification, provided by the director of motor vehicles, certifying that the applicant has and will maintain, during the period of registration, the required insurance, self insurance or other financial security required pursuant to K.S.A. 40-3104 and amendments thereto.

(d) An application for registration or renewal of registration of a vehicle shall not be accepted if the applicant is unable to provide proof of the insurance, self insurance or other financial security required by article 31 of chapter 40 of the Kansas Statutes Annotated. Proof of insurance shall be verified by examination of the insurance card or other documentation issued by an insurance company, a certificate of self insurance

1 issued by the commissioner, a binder of insurance, a certificate of insur-
2 ance, a motor carrier identification number issued by the state corpora-
3 tion commission, proof of insurance for vehicles covered under a fleet
4 policy, a commercial policy covering more than one vehicle or a policy of
5 insurance required by K.S.A. 40-3104, and amendments thereto and for
6 vehicles used as part of a drivers education program, a dealership contract
7 and a copy of a motor vehicle liability insurance policy issued to a school
8 district or accredited nonpublic school. Examination of a photocopy or
9 facsimile of any of these documents shall suffice for verification of reg-
10 istration or renewal. Proof of insurance may also be verified on-line or
11 electronically.

12 *(e) An application for registration or renewal of registration of a ve-*
13 *hicle as provided in article 1 of chapter 8 of the Kansas Statutes Anno-*
14 *tated, and amendments thereto, shall not be accepted if the department*
15 *of revenue has received certification from any court of this state or any*
16 *court of any municipality or a political subdivision of this state that the*
17 *applicant has debts owed to the court. As used in this section, "debts owed*
18 *to the court" means any assessment of court costs, fines, fees, moneys*
19 *expended by any court in providing counsel and other defense services to*
20 *indigent defendants or other charges which a judge or judicial officer has*
21 *ordered to be paid to the court, and which remain unpaid in whole or in*
22 *part. Such debts include any interest or penalties on such unpaid amounts*
23 *as provided for in the judgment or by law. "Debts owed to the court" also*
24 *includes the cost of collection when collection services of a contracting*
25 *agent are utilized.*

26 New Sec. 2. (a) Any court of this state or any court of any munici-
27 pality or political subdivision of this state may certify debts owed to the
28 court to the department of revenue. No court, however, shall be required
29 to certify any debts to the department.

30 (b) A court may certify any or all debts owed to the court to the
31 department. The decision as to which debts to certify shall be made for
32 each court by order of the chief judge, the clerk of the court or by any
33 other individual having authority to manage the business of the court.
34 The order may enumerate debts to be certified either individually or by
35 class or status.

36 (c) The certification of debts pursuant to the court's order shall be
37 carried out by the clerk of the court in accordance with the court's order
38 and in accordance with rules and regulations adopted by the secretary of
39 the department of revenue to govern the form and manner of
40 certification.

41 (d) The department of revenue shall maintain a state certified list of
42 those persons owing debts to such courts, which have been certified to
43 the department by the court in accordance with these provisions. The

1 certified list must be updated on a monthly basis. The department shall
2 submit to each county treasurer a certified list with the name, social se-
3 curity number, if known, date of birth, and last known address of each
4 person on the list.

5 (e) Any court which has certified to the department unpaid debts of
6 any individual shall promptly notify the department when the individual's
7 financial obligations to the court have been fulfilled. Upon notification,
8 such individual's name shall be removed from the list of those persons
9 owing debts to the court.

10 (f) Nothing in this act shall prevent a court from enforcing the pay-
11 ment of debts through the revocation of probation, revocation of sus-
12 pended sentence, citation for contempt of court, request for suspension
13 of driver's license privileges or other appropriate judicial process.

14 Sec. 3. K.S.A. 8-173 is hereby repealed.

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

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