

SENATE BILL No. 239

By Committee on Ways and Means

2-9

9 AN ACT concerning protection and advocacy for Kansans with disabili-
10 ties; fund established; crediting certain moneys thereto; administration
11 and uses thereof; amending K.S.A. 2004 Supp. 20-367 and repealing
12 the existing section.
13

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

15 New Section 1. (a) There is hereby established in the state treasury
16 the protection and advocacy for Kansans with disabilities fund. This fund
17 is created for the purpose of coordinating the efforts of the attorney gen-
18 eral and the protection and advocacy system for Kansans to advocate and
19 prosecute the criminal and civil wrongs involving the rights of persons
20 with disabilities, including their right to be free from abuse, neglect and
21 exploitation. The moneys credited to the fund pursuant to K.S.A. 20-367,
22 and amendments thereto, shall be used solely for the purpose of making
23 grants for operating expenses to programs which protect the rights of
24 persons with disabilities through civil and criminal investigation, advoca-
25 cy, legal representation and criminal prosecution. Of the moneys cred-
26 ited to the protection and advocacy for Kansans with disabilities fund
27 pursuant to K.S.A. 20-367, and amendments thereto, 65% shall be des-
28 ignated to the protection and advocacy system for Kansas for investiga-
29 tion, protection, advocacy and legal representation relating to violations
30 of the civil and legal rights of Kansans with disabilities, including their
31 right to be free from abuse, neglect and exploitation. The remaining 35%
32 of the moneys credited to the protection and advocacy for Kansans with
33 disabilities fund pursuant to K.S.A. 20-367, and amendments thereto,
34 65% shall be designated to the attorney general for the investigation and
35 criminal prosecution of crimes relating to the abuse, neglect and exploi-
36 tation of Kansans with disabilities.

37 (b) All expenditures from the protection and advocacy for Kansans
38 with disabilities fund shall be made in accordance with appropriation acts
39 upon warrants of the director of accounts and reports issued pursuant to
40 vouchers approved by the chief justice of the supreme court or by a
41 person or persons designated by the chief justice.

42 (c) The chief justice may apply for, receive and accept money from
43 any source for the purposes for which money in the protection and ad-

1 vocation for Kansans with disabilities fund may be expended. Upon receipt
2 of each such remittance, the chief justice shall remit the entire amount
3 to the state treasurer in accordance with the provisions of K.S.A. 75-4215,
4 and amendments thereto. Upon receipt of each such remittance, the state
5 treasurer shall deposit the entire amount in the state treasury to the credit
6 of the protection and advocacy for Kansans with disabilities fund, except
7 that any moneys received from the federal government shall be credited
8 to a separate special revenue fund established for such purpose.

9 Sec. 2. K.S.A. 2004 Supp. 20-367 is hereby amended to read as fol-
10 lows: 20-367. Of the remittance of the balance of docket fees received by
11 the state treasurer from clerks of the district court pursuant to subsection
12 (f) of K.S.A. 20-362, and amendments thereto, the state treasurer shall
13 deposit and credit to the access to justice fund, a sum equal to 5.90% of
14 the remittances of docket fees; *to the protection and advocacy for Kan-*
15 *sans with disabilities fund created by section 1 and amendments thereto,*
16 *a sum equal to 5.90% of the remittances of docket fees;* to the juvenile
17 detention facilities fund, a sum equal to 3.27% of the remittances of
18 docket fees; to the judicial branch education fund, the state treasurer
19 shall deposit and credit a sum equal to 2.52% of the remittances of docket
20 fees; to the crime victims assistance fund, the state treasurer shall deposit
21 and credit a sum equal to .67% of the remittances of the docket fees; to
22 the protection from abuse fund, the state treasurer shall deposit and
23 credit a sum equal to 3.22% of the remittances of the docket fees; to the
24 judiciary technology fund, the state treasurer shall deposit and credit a
25 sum equal to 5.10% of the remittances of docket fees; to the dispute
26 resolution fund, the state treasurer shall deposit and credit a sum equal
27 to .41% of the remittances of docket fees; to the Kansas juvenile delin-
28 quency prevention trust fund, the state treasurer shall deposit and credit
29 a sum equal to 1.49% of the remittances of docket fees; to the permanent
30 families account in the family and children investment fund, the state
31 treasurer shall deposit and credit a sum equal to .25% of the remittances
32 of docket fees; to the trauma fund, a sum equal to 1.77% of the remittance
33 of docket fees; to the judicial council fund, a sum equal to 1.33% of the
34 remittance of docket fees; and to the judicial branch nonjudicial salary
35 initiative fund, the state treasurer shall deposit and credit a sum equal to
36 21.41% of the remittance of docket fees. The balance remaining of the
37 remittances of docket fees shall be deposited and credited to the state
38 general fund.

39 Sec. 3. K.S.A. 2004 Supp. 20-367 is hereby repealed.

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