

CHAPTER 73
HOUSE BILL No. 2581

AN ACT concerning criminal procedure; relating to the correctional supervision fee; amending K.S.A. 21-4610a and K.S.A. 2009 Supp. 20-367 and repealing the existing sections.

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

Section 1. K.S.A. 2009 Supp. 20-367 is hereby amended to read as follows: 20-367. (a) On and after July 1, 2009 through June 30, 2013, of the remittance of the balance of docket fees received by the state treasurer from clerks of the district court pursuant to subsection (g) of K.S.A. 20-362, and amendments thereto, the state treasurer shall deposit and credit:

- (1) ~~3.00%~~ 3.05% to the judicial performance fund;
- (2) ~~4.17%~~ 4.24% to the access to justice fund;
- (3) ~~2.31%~~ 2.35% to the juvenile detention facilities fund;
- (4) ~~1.78%~~ 1.81% to the judicial branch education fund;
- (5) ~~.47%~~ .48% to the crime victims assistance fund;
- (6) ~~2.27%~~ 2.31% to the protection from abuse fund;
- (7) ~~3.60%~~ 3.66% to the judiciary technology fund;
- (8) .29% to the dispute resolution fund;
- (9) ~~1.05%~~ 1.07% to the Kansas juvenile delinquency prevention trust fund;
- (10) .18% to the permanent families account in the family and children investment fund;
- (11) ~~1.25%~~ 1.27% to the trauma fund;
- (12) ~~.94%~~ .96% to the judicial council fund;
- (13) ~~.57%~~ .58% to the child exchange and visitation centers fund;
- (14) ~~15.20%~~ 15.54% to the judicial branch nonjudicial salary adjustment fund;
- (15) ~~15.12%~~ 15.37% to the judicial branch nonjudicial salary initiative fund; and
- (16) the balance to the state general fund.

(b) On and after July 1, 2013, of the remittance of the balance of docket fees received by the state treasurer from clerks of the district court pursuant to subsection (g) of K.S.A. 20-362, and amendments thereto, the state treasurer shall deposit and credit:

- (1) ~~4.30%~~ 4.37% to the access to justice fund;
- (2) ~~2.38%~~ 2.42% to the juvenile detention facilities fund;
- (3) ~~1.83%~~ 1.87% to the judicial branch education fund;
- (4) ~~.48%~~ .50% to the crime victims assistance fund;
- (5) ~~2.34%~~ 2.38% to the protection from abuse fund;
- (6) ~~3.71%~~ 3.78% to the judiciary technology fund;
- (7) .30% to the dispute resolution fund;
- (8) ~~1.08%~~ 1.10% to the Kansas juvenile delinquency prevention trust fund;
- (9) .19% to the permanent families account in the family and children investment fund;
- (10) ~~1.29%~~ 1.31% to the trauma fund;
- (11) ~~.97%~~ .99% to the judicial council fund;
- (12) ~~.59%~~ .60% to the child exchange and visitation centers fund;
- (13) ~~15.75%~~ 16.03% to the judicial branch nonjudicial salary adjustment fund;
- (14) ~~15.57%~~ 15.85% to the judicial branch nonjudicial salary ~~incentive~~ initiative fund; and
- (15) the balance to the state general fund.

Sec. 2. K.S.A. 21-4610a is hereby amended to read as follows: 21-4610a. (a) Each person placed under the probation supervision of a court services officer or other officer or employee of the judicial branch by a judge of the district court under K.S.A. 21-4610, and amendments thereto, and each person assigned to a community correctional services program shall pay a ~~probation or community correctional services~~ *correctional supervision* fee. If the person was convicted of a misdemeanor, the amount of the ~~probation services~~ *correctional supervision* fee is ~~\$25~~ \$60 and if the person was convicted of a felony, the amount of the ~~probation or community correctional services~~ *correctional supervision* fee is ~~\$50~~ \$120, except that in any case the amount of the ~~probation or community correctional services~~ *correctional supervision* fee specified by this

section may be reduced or waived by the judge if the person is unable to pay that amount.

(b) ~~The probation or community correctional services~~ *correctional supervision* fee imposed by this section shall be charged and collected by the district court. The clerk of the district court shall remit all revenues received under this section from ~~probation or community correctional services~~ *correctional supervision* fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund, *a sum equal to 41.67% of such remittance, and to the correctional supervision fund, a sum equal to 58.33% of such remittance.*

(c) *There is hereby established in the state treasury the correctional supervision fund. All moneys credited to the correctional supervision fund shall be used for the implementation of and training for use of a statewide, mandatory, standardized risk assessment tool or instrument as specified by the Kansas sentencing commission, pursuant to K.S.A. 75-5291, and amendments thereto, and for evidence based offender supervision programs by judicial branch personnel. If all expenditures for the program have been paid and moneys remain in the correctional supervision fund for a fiscal year, remaining moneys may be expended from the correctional supervision fund to support offender supervision by court services officers. All expenditures from the correctional supervision fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chief justice of the Kansas supreme court or by a person or persons designated by the chief justice.*

~~(d)~~ (d) *This section shall apply to persons placed on felony or misdemeanor probation or released on misdemeanor parole to reside in Kansas and supervised by Kansas court services officers under the interstate compact for offender supervision.*

(e) This section shall not apply to persons placed on probation or released on parole to reside in Kansas under the uniform act for out-of-state parolee supervision.

Sec. 3. K.S.A. 21-4610a and K.S.A. 2009 Supp. 20-367 are hereby repealed.

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

Approved April 6, 2010.
