

SESSION OF 2006

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE SUBSTITUTE FOR SENATE BILL NO. 180**

As Agreed to April 27, 2006

Brief*

House Sub. for SB 180 would provide that fees established by legislative enactment shall be the only fees collected or moneys in the nature of a fee collected for court procedures. The bill states that fees shall only be established by an act of the legislature and that no other authority is established by law or otherwise to collect a fee. Court procedures shall include docket fees, filing fees or other fees related to access to court procedures.

The impact of the bill would be to prohibit the continuance of the emergency docket fee surcharge imposed by the Supreme Court in 2002 to help fund court operations.

Conference Committee Action

The Conference Committee agreed to the House amendments to House Sub. for SB 180 with the following changes:

- Deleted provisions of the bill raising docket fees (this provision inserted into SB 337); and
- Deleted provisions of the bill which would expand the number of local government units which would be exempt from paying sheriffs' fees and other, related court fees (this provision also was inserted into SB 337).

Background

The Judiciary constructed its FY 2007 budget without the use of the emergency surcharge; therefore, the bill would have no effect on

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. The conference committee summary report may be accessed on the Internet at <http://www.kslegislature.org>

the budget as it was submitted to the 2006 Legislature. If the Legislature however, does not replace the surcharge moneys (\$3.7 million) in the court budget with general fund moneys, the court budget will have a shortfall.

The original bill dealt with preliminary breath tests for minors consuming alcohol and was supported by Senator Greta Goodwin and the police chief of Arkansas City. Proponents said the bill would enhance enforcement of the underage drinking laws.

The House Committee deleted the original contents of the bill and inserted the provisions regarding docket fees. The provisions regarding the exemptions from docket fees for municipalities were from HB 2913. The surcharge prohibition was taken from HB 2943.