

HOUSE BILL No. 2393

By Committee on Appropriations

Requested by Representative Waymaster

2-27

1 AN ACT concerning courts; relating to court fees and costs; authorizing
2 the supreme court to impose a charge to fund the costs of non-judicial
3 personnel through June 30, 2030; amending K.S.A. 8-2107, 20-3021,
4 21-6614, 22-2410, 23-2510, 28-170, 28-172a, 28-179, 38-2215, 38-
5 2312 and 38-2314 and K.S.A. 2024 Supp. 8-2110, 28-177, 28-178, 32-
6 1049a, 59-104, 60-729, 60-2001, 60-2203a, 61-2704, 61-4001 and 65-
7 409 and repealing the existing sections.
8

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

10 Section 1. K.S.A. 8-2107 is hereby amended to read as follows: 8-
11 2107. (a) (1) Notwithstanding any other provisions of the uniform act
12 regulating traffic on highways, when a person is stopped by a police
13 officer for any of the offenses described in subsection (d) and such person
14 is not immediately taken before a judge of the district court, the police
15 officer may require the person stopped, subject to the provisions of
16 subsection (c), to deposit with the officer a valid Kansas driver's license in
17 exchange for a receipt therefor issued by such police officer, the form of
18 which shall be approved by the division of vehicles. Such receipt shall be
19 recognized as a valid temporary Kansas driver's license authorizing the
20 operation of a motor vehicle by the person stopped until the date of the
21 hearing stated on the receipt. The driver's license and a written copy of the
22 notice to appear shall be delivered by the police officer to the court having
23 jurisdiction of the offense charged as soon as reasonably possible. If the
24 hearing on such charge is continued for any reason, the judge may note on
25 the receipt the date to which such hearing has been continued and such
26 receipt shall be recognized as a valid temporary Kansas driver's license
27 until such date, but in no event shall such receipt be recognized as a valid
28 Kansas driver's license for a period longer than 30 days from the date set
29 for the original hearing. Any person who has deposited a driver's license
30 with a police officer under this subsection shall have such license returned
31 upon final determination of the charge against such person.

32 (2) In the event the person stopped deposits a valid Kansas driver's
33 license with the police officer and fails to appear in the district court on the
34 date set for appearance, or any continuance thereof, and in any event
35 within 30 days from the date set for the original hearing, the court shall

1 forward such person's driver's license to the division of vehicles with an
2 appropriate explanation attached thereto. Upon receipt of such person's
3 driver's license, the division shall suspend such person's privilege to
4 operate a motor vehicle in this state until such person appears before the
5 court having jurisdiction of the offense charged, the court makes a final
6 disposition thereof and notice of such disposition is given by the court to
7 the division. No new or replacement license shall be issued to any such
8 person until such notice of disposition has been received by the division.
9 The provisions of K.S.A. 8-256, and amendments thereto, limiting the
10 suspension of a license to one year, shall not apply to suspensions for
11 failure to appear as provided in this subsection.

12 (b) No person shall apply for a replacement or new driver's license
13 prior to the return of such person's original license which has been
14 deposited in lieu of bond under this section. Violation of this subsection is
15 a class C misdemeanor. The division may suspend such person's driver's
16 license for a period of not to exceed one year from the date the division
17 receives notice of the disposition of the person's charge as provided in
18 subsection (a).

19 (c) (1) In lieu of depositing a valid Kansas driver's license with the
20 stopping police officer as provided in subsection (a), the person stopped
21 may elect to give bond in the amount specified in subsection (d) for the
22 offense for which the person was stopped. When such person does not
23 have a valid Kansas driver's license, such person shall give such bond.
24 Such bond shall be subject to forfeiture if the person stopped does not
25 appear at the court and at the time specified in the written notice provided
26 for in K.S.A. 8-2106, and amendments thereto.

27 (2) Such bond may be a cash bond, a bank card draft from any valid
28 and unexpired credit card approved by the division of vehicles or
29 superintendent of the Kansas highway patrol or a guaranteed arrest bond
30 certificate issued by either a surety company authorized to transact such
31 business in this state or an automobile club authorized to transact business
32 in this state by the commissioner of insurance. If any of the approved bank
33 card issuers redeem the bank card draft at a discounted rate, such discount
34 shall be charged against the amount designated as the fine for the offense.
35 If such bond is not forfeited, the amount of the bond less the discount rate
36 shall be reimbursed to the person providing the bond by the use of a bank
37 card draft. Any such guaranteed arrest bond certificate shall be signed by
38 the person to whom it is issued and shall contain a printed statement that
39 such surety company or automobile club guarantees the appearance of
40 such person and will, in the event of failure of such person to appear in
41 court at the time of trial, pay any fine or forfeiture imposed on such person
42 not to exceed an amount to be stated on such certificate.

43 (3) Such cash bond shall be taken in the following manner: The

1 police officer shall furnish the person stopped a stamped envelope
 2 addressed to the judge or clerk of the court named in the written notice to
 3 appear and the person shall place in such envelope the amount of the bond,
 4 and in the presence of the police officer shall deposit the same in the
 5 United States mail. After such cash payment, the person stopped need not
 6 sign the written notice to appear, but the police officer shall note the
 7 amount of the bond mailed on the notice to appear form and shall give a
 8 copy of such form to the person. If the person stopped furnishes the police
 9 officer with a guaranteed arrest bond certificate or bank card draft, the
 10 police officer shall give such person a receipt therefor and shall note the
 11 amount of the bond on the notice to appear form and give a copy of such
 12 form to the person stopped. Such person need not sign the written notice to
 13 appear, and the police officer shall present the notice to appear and the
 14 guaranteed arrest bond certificate or bank card draft to the court having
 15 jurisdiction of the offense charged as soon as reasonably possible.

16 (d) The offenses for which appearance bonds may be required as
 17 provided in subsection (c) and the amounts thereof shall be as follows:

18 ~~On and after July 1, 1996:~~

19 Reckless driving.....	\$82
20 Driving when privilege is canceled, suspended or revoked.....	82
21 Failure to comply with lawful order of officer.....	57
22 Registration violation (registered for 12,000 pounds or less).....	52
23 Registration violation (registered for more than 12,000 pounds).....	92
24 No driver's license for the class of vehicle operated or violation 25 of restrictions.....	52
26 Spilling load on highway.....	52
27 Transporting open container of alcoholic liquor or cereal malt 28 beverage accessible while vehicle in motion.....	223

29 (e) In the event of forfeiture of any bond under this section, \$75 of
 30 the amount forfeited shall be regarded as a docket fee in any court having
 31 jurisdiction over the violation of state law.

32 (f) None of the provisions of this section shall be construed to
 33 conflict with the provisions of the nonresident violator compact.

34 (g) When a person is stopped by a police officer for any traffic
 35 infraction and the person is a resident of a state which is not a member of
 36 the nonresident violator compact, K.S.A. 8-1219 et seq., and amendments
 37 thereto, or the person is licensed to drive under the laws of a foreign
 38 country, the police officer may require a bond as provided for under
 39 subsection (c). The bond shall be in the amount specified in the uniform
 40 fine schedule in K.S.A. 8-2118(c), and amendments thereto, plus \$75
 41 which shall be regarded as a docket fee in any court having jurisdiction
 42 over the violation of state law.

43 (h) When a person is stopped by a police officer for failure to provide

1 proof of financial security pursuant to K.S.A. 40-3104, and amendments
2 thereto, and the person is a resident of another state or the person is
3 licensed to drive under the laws of a foreign country, the police officer
4 may require a bond as provided for under subsection (c). The bond shall be
5 in the amount of \$75, plus \$75 which shall be regarded as a docket fee in
6 any court having jurisdiction over the violation of state law.

7 (i) Except as provided further, the docket fee established in this
8 section shall be the only fee collected or moneys in the nature of a fee
9 collected for the docket fee. Such fee shall only be established by an act of
10 the legislature and no other authority is established by law or otherwise to
11 collect a fee. On and after July 1, ~~2019~~ 2025, through June 30, ~~2025~~ 2030,
12 the supreme court may impose an additional charge, not to exceed \$22 per
13 docket fee, to fund the costs of non-judicial personnel.

14 Sec. 2. K.S.A. 2024 Supp. 8-2110 is hereby amended to read as
15 follows: 8-2110. (a) Failure to comply with a traffic citation means failure
16 either to: (1) Appear before any district or municipal court in response to a
17 traffic citation and pay any fine and court costs imposed as ordered by the
18 court; or (2) otherwise comply with a traffic citation as provided in K.S.A.
19 8-2118, and amendments thereto. Failure to comply with a traffic citation
20 is a misdemeanor, regardless of the disposition of the charge for which
21 such citation was originally issued.

22 (b) (1) (A) In addition to penalties of law applicable under subsection
23 (a), when a person fails to comply with a traffic citation, except for any
24 violations provided in subparagraph (C), the district or municipal court in
25 which the person should have complied with the citation shall mail notice
26 to the person that if the person does not appear in district or municipal
27 court or pay fines, court costs and any penalties as ordered by the court
28 within 30 days from the date of mailing notice, the division of vehicles
29 will be notified to suspend the person's driving privileges unless such
30 person is eligible for restricted driving privileges pursuant to subparagraph
31 (B). If the person is eligible for restricted driving privileges, the division of
32 vehicles shall restrict such person's driving privileges pursuant to the terms
33 set forth in subparagraph (B). The district or municipal court may charge
34 an additional fee of \$5 for mailing such notice. Upon the person's failure to
35 comply within such 30 days of mailing notice, the district or municipal
36 court shall electronically notify the division of vehicles unless the district
37 or municipal court has determined pursuant to a written order that the
38 person shall fulfill any requirements set forth by the court prior to the
39 suspension. Failure to abide by the terms of the order shall result in the
40 court notifying the division of vehicles that the person's license shall be
41 suspended for the failure to comply with a traffic citation. Upon receipt of
42 a report of a failure to comply with a traffic citation under this subsection,
43 pursuant to K.S.A. 8-255, and amendments thereto, the division of

1 vehicles shall notify the violator and suspend the license of the violator
2 until satisfactory evidence of substantial compliance with the terms of the
3 traffic citation has been furnished to the informing court unless such
4 person is eligible for restricted driving privileges pursuant to subparagraph
5 (B). If the person is eligible for restricted driving privileges, the division of
6 vehicles shall notify the violator that the person's driving privileges are
7 restricted pursuant to the terms set forth in subparagraph (B). When the
8 court determines the person is in substantial compliance with the terms of
9 the traffic citation, the court shall immediately electronically notify the
10 division of vehicles of such compliance. Upon receipt of notification of
11 such compliance from the informing court, the division of vehicles shall
12 terminate the restriction, suspension or suspension action.

13 (B) (i) When restricted driving privileges are approved pursuant to
14 this subsection, the person's driving privileges shall be restricted to driving
15 only under the following circumstances:

16 (a) In going to or returning from the person's place of employment or
17 schooling;

18 (b) in the course of the person's employment;

19 (c) in going to or returning from an appointment with a healthcare
20 provider or during a medical emergency;

21 (d) in going to and returning from probation or parole meetings, drug
22 or alcohol counseling or any place the person is required to go by a court;

23 (e) in going to or returning from dropping off or picking up one or
24 more children from school or child care;

25 (f) in going to or returning from purchasing groceries or fuel for their
26 vehicle; and

27 (g) in going to or returning from any religious worship service held
28 by a religious organization.

29 (ii) A person shall not qualify for restricted driving privileges
30 pursuant to this subparagraph if such person has been convicted for driving
31 with a canceled, suspended or revoked license more than three times or if
32 such person is suspended for reasons other than a failure to comply with a
33 traffic citation at the time of application. Restricted driving privileges
34 approved pursuant to this subparagraph shall remain in effect for the lesser
35 of time of either:

36 (a) 60 days from the date that the division of vehicles mails notice to
37 the person of the restricted driving privileges;

38 (b) the person enters into an agreement with the court regarding the
39 person's failure to comply; or

40 (c) the rescission of the restricted driving privileges by the division of
41 vehicles.

42 (iii) The division shall rescind restricted driving privileges for any
43 person authorized pursuant to this subparagraph if the person is found

1 guilty of:

2 (a) A violation resulting in a license suspension, revocation or
3 cancellation for reasons other than failure to comply with a traffic citation;
4 or

5 (b) operating a motor vehicle in violation of restrictions provided in
6 clause (i) two or more times.

7 (iv) A person operating a motor vehicle in violation of restrictions
8 provided in clause (i) shall be guilty of operating a vehicle in violation of
9 restrictions as provided in K.S.A. 8-291, and amendments thereto.

10 (C) (i) Violations of the following sections or violations of
11 substantially similar offenses under a city ordinance shall not provide the
12 basis for a violation of this section: K.S.A. 8-1513, 8-1532, 8-1534, 8-
13 1536, 8-1537, 8-1538, 8-1543, 8-1569, 8-1571, 8-1572, 8-1573, 8-1578, 8-
14 1578a, 8-1583, 8-1585, 8-1586, 8-1588, 8-1589, 8-1590, 8-1591, 8-1592,
15 8-15,102, 8-15,108, 8-15,113, 8-1744, 21-5607, 21-5810, 21-5815, 21-
16 5816, 21-5817, 21-6203, 41-715, 41-727, 66-1330, 68-2106, 75-4510a and
17 79-34,112, and amendments thereto.

18 (ii) The provisions of this subparagraph shall be construed and
19 applied retroactively. A person may petition the district or municipal court
20 in which the person should have complied with the citation that led to a
21 prior violation of this section. If the court determines that the person
22 committed an offense that does not provide the basis for a violation of this
23 section, as amended by this act, the court shall immediately electronically
24 notify the division of vehicles. Upon receipt of such notification from the
25 informing court, the division of vehicles shall terminate any restriction,
26 suspension or suspension action that resulted from the prior violation of
27 this section.

28 (2) (A) In lieu of suspension under paragraph (1), the driver may
29 submit to the division of vehicles a written request for restricted driving
30 privileges. The driver may apply and be eligible for restricted driving
31 privileges pursuant to this paragraph if such driver has previously been
32 approved for restricted driving privileges pursuant to paragraph (1).

33 (B) (i) A person whose driving privileges have been revoked solely
34 for driving a motor vehicle on any highway as defined in K.S.A. 8-1424,
35 and amendments thereto, of this state at a time when such person's
36 privilege to do so was canceled, suspended or revoked for failure to
37 comply with a traffic citation pursuant to this section may submit to the
38 division of vehicles a written request for restricted driving privileges. A
39 person shall not qualify for restricted driving privileges pursuant to this
40 section if such person has been convicted for driving with a canceled,
41 suspended or revoked license more than three times or if such person is
42 suspended for reasons other than a failure to comply with a traffic citation
43 at the time of application. Restricted driving privileges approved pursuant

1 to this subparagraph shall remain in effect unless otherwise rescinded for
2 the lesser of time of either:

3 (a) The remainder of the period of time that such person's driving
4 privileges are revoked; or

5 (b) three years from the date when the restricted driving privileges
6 were approved.

7 (ii) The division shall rescind restricted driving privileges for any
8 person authorized pursuant to this subparagraph if the person is found
9 guilty of a violation resulting in a license suspension, revocation or
10 cancellation for reasons other than failure to comply with a traffic citation.

11 (iii) A person operating a motor vehicle in violation of restrictions
12 provided in subparagraph (D) shall be guilty of operating a vehicle in
13 violation of restrictions as provided in K.S.A. 8-291, and amendments
14 thereto.

15 (C) A person whose driver's license has expired during the period
16 when such person's driver's license has been suspended for failure to pay
17 fines for traffic citations, the driver may submit to the division of vehicles
18 a written request for restricted driving privileges. An* person shall not
19 qualify for restricted driving privileges pursuant to this section unless the
20 following conditions are met:

21 (i) The suspended license that expired was issued by the division of
22 vehicles;

23 (ii) the suspended license resulted from the individual's failure to
24 comply with a traffic citation pursuant to subsection (b)(1); and

25 (iii) the traffic citation that resulted in the failure to comply pursuant
26 to subsection (b)(1) was issued in this state.

27 (D) Upon review and approval of the driver's eligibility, the driving
28 privileges will be restricted by the division of vehicles until the terms of
29 the traffic citation have been substantially complied with and the court
30 shall immediately electronically notify the division of vehicles of such
31 compliance. If the driver fails to substantially comply with the traffic
32 citation, the driving privileges will be suspended by the division of
33 vehicles until the court determines the person has substantially complied
34 with the terms of the traffic citation and the court shall immediately
35 electronically notify the division of vehicles of such substantial
36 compliance. Upon receipt of notification of such compliance from the
37 informing court, the division of vehicles shall terminate the suspension
38 action. When restricted driving privileges are approved pursuant to this
39 section, the person's driving privileges shall be restricted to driving only
40 under the following circumstances:

41 (i) In going to or returning from the person's place of employment or
42 schooling;

43 (ii) in the course of the person's employment;

1 (iii) in going to or returning from an appointment with a health care
2 provider or during a medical emergency;

3 (iv) in going to and returning from probation or parole meetings, drug
4 or alcohol counseling or any place the person is required to go by a court;

5 (v) in going to or returning from dropping off or picking up one or
6 more children from school or child care;

7 (vi) in going to or returning from purchasing groceries or fuel for
8 their vehicle; and

9 (vii) in going to or returning from any religious worship service held
10 by a religious organization.

11 (c) Except as provided in subsection (d), when the district or
12 municipal court notifies the division of vehicles of a failure to comply with
13 a traffic citation pursuant to subsection (b), the court shall assess a
14 reinstatement fee of \$100. Such reinstatement fee shall be in addition to
15 any fine, restricted driving privilege application fee, district or municipal
16 court costs and other penalties. The court shall remit all reinstatement fees
17 to the state treasurer in accordance with the provisions of K.S.A. 75-4215,
18 and amendments thereto. Upon receipt of each such remittance, the state
19 treasurer shall deposit the entire amount in the state treasury and shall
20 credit the first \$15 of such reinstatement fee to the state general fund and
21 of the remaining amount, 29.41% of such moneys to the division of
22 vehicles operating fund, 22.06% to the community alcoholism and
23 intoxication programs fund created by K.S.A. 41-1126, and amendments
24 thereto, 7.36% to the juvenile alternatives to detention fund created by
25 K.S.A. 79-4803, and amendments thereto, and 41.17% to the state general
26 fund.

27 (d) The district court or municipal court shall waive the reinstatement
28 fee provided for in subsection (c), if the failure to comply with a traffic
29 citation was the result of such person enlisting in or being drafted into the
30 armed services of the United States, being called into service as a member
31 of a reserve component of the military service of the United States, or
32 volunteering for such active duty, or being called into service as a member
33 of the state of Kansas national guard, or volunteering for such active duty,
34 and being absent from Kansas because of such military service.

35 (e) (1) A person who is assessed a reinstatement fee pursuant to
36 subsection (c) may petition the court that assessed the fee at any time to
37 waive payment of the fee, any additional charge imposed pursuant to
38 subsection (f), or any portion thereof. If it appears to the satisfaction of the
39 court that payment of the amount due will impose manifest hardship on the
40 person or the person's immediate family, the court may waive payment of
41 all or part of the amount due or modify the method of payment.

42 (2) A person who is assessed a fine or court costs for a traffic citation
43 may petition the court that assessed the fine or costs at any time to waive

1 payment of the fine or costs, or any portion thereof. If it appears to the
2 satisfaction of the court that payment of the amount due will impose
3 manifest hardship on the person or the person's immediate family, the
4 court may waive payment of all or part of the amount due or modify the
5 method of payment.

6 (3) The clerk of the district court and the clerk of the municipal court
7 shall make forms available to any person seeking to petition the court to
8 waive or reduce traffic fines, court costs or reinstatement fees.

9 (f) Except as provided further, the reinstatement fee established in
10 this section shall be the only fee collected or moneys in the nature of a fee
11 collected for such reinstatement. Such fee shall only be established by an
12 act of the legislature and no other authority is established by law or
13 otherwise to collect a fee. On and after July 1, ~~2019~~ 2025, through June
14 30, ~~2025~~ 2030, the supreme court may impose an additional charge, not to
15 exceed \$22 per reinstatement fee, to fund the costs of non-judicial
16 personnel.

17 (g) (1) Prior to issuing an order pursuant to this section that notifies
18 the division of vehicles to restrict or suspend a person's driving privileges,
19 the court shall consider:

20 (A) Waiver or reduction of fees, fines and court costs and allowing
21 for payment plans for any fees, fines and court costs; and

22 (B) alternative requirements in lieu of restriction or suspension of
23 driving privileges, including, but not limited to, alcohol or drug treatment
24 or community service.

25 (2) Nothing in this subsection shall be construed to require the court
26 to make written findings or written payment plan orders.

27 (h) (1) Any conviction for a failure to comply pursuant to this section
28 shall not be considered by the district or municipal court or the division of
29 vehicles in determining suspended or restricted driving privileges if such
30 conviction is more than five years old.

31 (2) After the expiration of five years from the date of conviction, the
32 division shall notify by mail any persons whose driving privileges were
33 suspended or restricted and have not since been restored. The division
34 shall notify the person that the person may be eligible for driving
35 privileges as a result of the expiration of the five years from the conviction
36 for the failure to comply.

37 (3) The provisions of this subsection shall be construed and applied
38 retroactively.

39 (i) As used in this section, "substantial compliance" or "substantially
40 complied" means the person has followed the orders of the court involving
41 payments of fines, court costs and any penalties and has not failed
42 substantially in making payments or satisfying the terms of the court order.

43 Sec. 3. K.S.A. 20-3021 is hereby amended to read as follows: 20-

1 3021. (a) (1) ~~On and after July 1, 2014,~~ Any party filing an appeal with the
2 court of appeals shall pay a fee in the amount of \$145 to the clerk of the
3 supreme court.

4 (2) ~~On and after July 1, 2014,~~ Any party filing an appeal with the
5 supreme court shall pay a fee in the amount of \$145 to the clerk of the
6 supreme court.

7 (b) A poverty affidavit may be filed in lieu of a fee as established in
8 K.S.A. 60-2001, and amendments thereto.

9 (c) The fee shall be the only costs assessed in each case to services of
10 the clerk of the supreme court. The clerk of the supreme court shall remit
11 all revenues received from this section to the state treasurer, in accordance
12 with the provisions of K.S.A. 75-4215, and amendments thereto, for
13 deposit in the state treasury. The fee shall be disbursed in accordance with
14 K.S.A. 20-362, and amendments thereto.

15 (d) Except as provided further, the fee established in this section shall
16 be the only fee collected or moneys in the nature of a fee collected for the
17 docket fee. Such fee shall only be established by an act of the legislature
18 and no other authority is established by law or otherwise to collect a fee.
19 On and after July 1, ~~2019~~ 2025, through June 30, ~~2025~~ 2030, the supreme
20 court may impose an additional charge, not to exceed \$10 per fee, to fund
21 the costs of non-judicial personnel.

22 (e) The state of Kansas and all municipalities in this state, as defined
23 in K.S.A. 12-105a, and amendments thereto, shall be exempt from paying
24 such fee.

25 Sec. 4. K.S.A. 21-6614 is hereby amended to read as follows: 21-
26 6614. (a) (1) Except as provided in subsections (b), (c), (d), (e) and (f), any
27 person convicted in this state of a traffic infraction, cigarette or tobacco
28 infraction, misdemeanor or a class D or E felony, or for crimes committed
29 on or after July 1, 1993, any nongrid felony or felony ranked in severity
30 levels 6 through 10 of the nondrug grid, or for crimes committed on or
31 after July 1, 1993, but prior to July 1, 2012, any felony ranked in severity
32 level 4 of the drug grid, or for crimes committed on or after July 1, 2012,
33 any felony ranked in severity level 5 of the drug grid may petition the
34 convicting court for the expungement of such conviction or related arrest
35 records if three or more years have elapsed since the person: (A) Satisfied
36 the sentence imposed; or (B) was discharged from probation, a community
37 correctional services program, parole, postrelease supervision, conditional
38 release or a suspended sentence.

39 (2) Except as provided in subsections (b), (c), (d), (e) and (f), any
40 person who has fulfilled the terms of a diversion agreement may petition
41 the district court for the expungement of such diversion agreement and
42 related arrest records if three or more years have elapsed since the terms of
43 the diversion agreement were fulfilled.

1 (3) Notwithstanding the provisions of subsection (a)(1), and except as
2 provided in subsections (b), (c), (d), (e) and (f), any person who has
3 completed the requirements of a specialty court program established
4 pursuant to K.S.A. 20-173, and amendments thereto, may petition the
5 district court for the expungement of the conviction and related arrest
6 records. The court may waive all or part of the docket fee imposed for
7 filing a petition pursuant to this subsection.

8 (b) Any person convicted of prostitution, as defined in K.S.A. 21-
9 3512, prior to its repeal, convicted of a violation of K.S.A. 21-6419, and
10 amendments thereto, or who entered into a diversion agreement in lieu of
11 further criminal proceedings for such violation, may petition the
12 convicting court for the expungement of such conviction or diversion
13 agreement and related arrest records if:

14 (1) One or more years have elapsed since the person satisfied the
15 sentence imposed or the terms of a diversion agreement or was discharged
16 from probation, a community correctional services program, parole,
17 postrelease supervision, conditional release or a suspended sentence; and

18 (2) such person can prove they were acting under coercion caused by
19 the act of another. For purposes of this subsection, "coercion" means:
20 Threats of harm or physical restraint against any person; a scheme, plan or
21 pattern intended to cause a person to believe that failure to perform an act
22 would result in bodily harm or physical restraint against any person; or the
23 abuse or threatened abuse of the legal process.

24 (c) Except as provided in subsections (e) and (f), no person may
25 petition for expungement until five or more years have elapsed since the
26 person satisfied the sentence imposed or the terms of a diversion
27 agreement or was discharged from probation, a community correctional
28 services program, parole, postrelease supervision, conditional release or a
29 suspended sentence, if such person was convicted of a class A, B or C
30 felony, or for crimes committed on or after July 1, 1993, if convicted of an
31 off-grid felony or any felony ranked in severity levels 1 through 5 of the
32 nondrug grid, or for crimes committed on or after July 1, 1993, but prior to
33 July 1, 2012, any felony ranked in severity levels 1 through 3 of the drug
34 grid, or for crimes committed on or after July 1, 2012, any felony ranked
35 in severity levels 1 through 4 of the drug grid, or:

36 (1) Vehicular homicide, as defined in K.S.A. 21-3405, prior to its
37 repeal, or K.S.A. 21-5406, and amendments thereto, or as prohibited by
38 any law of another state that is in substantial conformity with that statute;

39 (2) driving while the privilege to operate a motor vehicle on the
40 public highways of this state has been canceled, suspended or revoked, as
41 prohibited by K.S.A. 8-262, and amendments thereto, or as prohibited by
42 any law of another state that is in substantial conformity with that statute;

43 (3) perjury resulting from a violation of K.S.A. 8-261a, and

1 amendments thereto, or resulting from the violation of a law of another
2 state that is in substantial conformity with that statute;

3 (4) violating the provisions of K.S.A. 8-142 *Fifth*, and amendments
4 thereto, relating to fraudulent applications or violating the provisions of a
5 law of another state that is in substantial conformity with that statute;

6 (5) any crime punishable as a felony wherein a motor vehicle was
7 used in the perpetration of such crime;

8 (6) failing to stop at the scene of an accident and perform the duties
9 required by K.S.A. 8-1603, prior to its repeal, or K.S.A. 8-1602 or 8-1604,
10 and amendments thereto, or required by a law of another state that is in
11 substantial conformity with those statutes;

12 (7) violating the provisions of K.S.A. 40-3104, and amendments
13 thereto, relating to motor vehicle liability insurance coverage; or

14 (8) a violation of K.S.A. 21-3405b, prior to its repeal.

15 (d) (1) No person may petition for expungement until five or more
16 years have elapsed since the person satisfied the sentence imposed or the
17 terms of a diversion agreement or was discharged from probation, a
18 community correctional services program, parole, postrelease supervision,
19 conditional release or a suspended sentence, if such person was convicted
20 of a first violation of K.S.A. 8-1567, and amendments thereto, including
21 any diversion for such violation.

22 (2) No person may petition for expungement until 10 or more years
23 have elapsed since the person satisfied the sentence imposed or was
24 discharged from probation, a community correctional services program,
25 parole, postrelease supervision, conditional release or a suspended
26 sentence, if such person was convicted of a second or subsequent violation
27 of K.S.A. 8-1567, and amendments thereto.

28 (3) Except as provided further, the provisions of this subsection shall
29 apply to all violations committed on or after July 1, 2006. The provisions
30 of subsection (d)(2) shall not apply to violations committed on or after
31 July 1, 2014, but prior to July 1, 2015.

32 (e) There shall be no expungement of convictions for the following
33 offenses or of convictions for an attempt to commit any of the following
34 offenses:

35 (1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A.
36 21-5503, and amendments thereto;

37 (2) indecent liberties with a child or aggravated indecent liberties
38 with a child, as defined in K.S.A. 21-3503 or 21-3504, prior to their repeal,
39 or K.S.A. 21-5506, and amendments thereto;

40 (3) criminal sodomy, as defined in K.S.A. 21-3505(a)(2) or (a)(3),
41 prior to its repeal, or K.S.A. 21-5504(a)(3) or (a)(4), and amendments
42 thereto;

43 (4) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior

- 1 to its repeal, or K.S.A. 21-5504, and amendments thereto;
- 2 (5) indecent solicitation of a child or aggravated indecent solicitation
3 of a child, as defined in K.S.A. 21-3510 or 21-3511, prior to their repeal,
4 or K.S.A. 21-5508, and amendments thereto;
- 5 (6) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior
6 to its repeal, or K.S.A. 21-5510, and amendments thereto;
- 7 (7) internet trading in child pornography or aggravated internet
8 trading in child pornography, as defined in K.S.A. 21-5514, and
9 amendments thereto;
- 10 (8) aggravated incest, as defined in K.S.A. 21-3603, prior to its
11 repeal, or K.S.A. 21-5604, and amendments thereto;
- 12 (9) endangering a child or aggravated endangering a child, as defined
13 in K.S.A. 21-3608 or 21-3608a, prior to their repeal, or K.S.A. 21-5601,
14 and amendments thereto;
- 15 (10) abuse of a child, as defined in K.S.A. 21-3609, prior to its repeal,
16 or K.S.A. 21-5602, and amendments thereto;
- 17 (11) capital murder, as defined in K.S.A. 21-3439, prior to its repeal,
18 or K.S.A. 21-5401, and amendments thereto;
- 19 (12) murder in the first degree, as defined in K.S.A. 21-3401, prior to
20 its repeal, or K.S.A. 21-5402, and amendments thereto;
- 21 (13) murder in the second degree, as defined in K.S.A. 21-3402, prior
22 to its repeal, or K.S.A. 21-5403, and amendments thereto;
- 23 (14) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to
24 its repeal, or K.S.A. 21-5404, and amendments thereto;
- 25 (15) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to
26 its repeal, or K.S.A. 21-5405, and amendments thereto;
- 27 (16) sexual battery, as defined in K.S.A. 21-3517, prior to its repeal,
28 or K.S.A. 21-5505, and amendments thereto, when the victim was less
29 than 18 years of age at the time the crime was committed;
- 30 (17) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to
31 its repeal, or K.S.A. 21-5505, and amendments thereto;
- 32 (18) a violation of K.S.A. 8-2,144, and amendments thereto,
33 including any diversion for such violation; or
- 34 (19) any conviction for any offense in effect at any time prior to July
35 1, 2011, that is comparable to any offense as provided in this subsection.
- 36 (f) Except as provided in K.S.A. 22-4908, and amendments thereto,
37 for any offender who is required to register as provided in the Kansas
38 offender registration act, K.S.A. 22-4901 et seq., and amendments thereto,
39 there shall be no expungement of any conviction or any part of the
40 offender's criminal record while the offender is required to register as
41 provided in the Kansas offender registration act.
- 42 (g) (1) When a petition for expungement is filed, the court shall set a
43 date for a hearing of such petition and shall cause notice of such hearing to

1 be given to the prosecutor and the arresting law enforcement agency. The
2 petition shall state the:

- 3 (A) Defendant's full name;
- 4 (B) full name of the defendant at the time of arrest, conviction or
5 diversion, if different than the defendant's current name;
- 6 (C) defendant's sex, race and date of birth;
- 7 (D) crime for which the defendant was arrested, convicted or
8 diverted;
- 9 (E) date of the defendant's arrest, conviction or diversion; and
- 10 (F) identity of the convicting court, arresting law enforcement
11 authority or diverting authority.

12 (2) Except as otherwise provided by law, a petition for expungement
13 shall be accompanied by a docket fee in the amount of \$176. On and after
14 July 1, ~~2019~~ 2025, through June 30, ~~2025~~ 2030, the supreme court may
15 impose a charge, not to exceed \$19 per case, to fund the costs of non-
16 judicial personnel. The charge established in this section shall be the only
17 fee collected or moneys in the nature of a fee collected for the case. Such
18 charge shall only be established by an act of the legislature and no other
19 authority is established by law or otherwise to collect a fee.

20 (3) All petitions for expungement shall be docketed in the original
21 criminal action. Any person who may have relevant information about the
22 petitioner may testify at the hearing. The court may inquire into the
23 background of the petitioner and shall have access to any reports or
24 records relating to the petitioner that are on file with the secretary of
25 corrections or the prisoner review board.

26 (h) At the hearing on the petition, the court shall order the petitioner's
27 arrest record, conviction or diversion expunged if the court finds that:

28 (1) (A) The petitioner has not been convicted of a felony in the past
29 two years and no proceeding involving any such crime is presently
30 pending or being instituted against the petitioner if the petition is filed
31 under subsection (a)(1) or (a)(2); or

32 (B) no proceeding involving a felony is presently pending or being
33 instituted against the petitioner if the petition is filed under subsection (a)
34 (3);

35 (2) the circumstances and behavior of the petitioner warrant the
36 expungement;

37 (3) the expungement is consistent with the public welfare; and

38 (4) with respect to petitions seeking expungement of a felony
39 conviction, possession of a firearm by the petitioner is not likely to pose a
40 threat to the safety of the public.

41 (i) When the court has ordered an arrest record, conviction or
42 diversion expunged, the order of expungement shall state the information
43 required to be contained in the petition. The clerk of the court shall send a

1 certified copy of the order of expungement to the Kansas bureau of
2 investigation that shall notify the federal bureau of investigation, the
3 secretary of corrections and any other criminal justice agency that may
4 have a record of the arrest, conviction or diversion. If the case was
5 appealed from municipal court, the clerk of the district court shall send a
6 certified copy of the order of expungement to the municipal court. The
7 municipal court shall order the case expunged once the certified copy of
8 the order of expungement is received. After the order of expungement is
9 entered, the petitioner shall be treated as not having been arrested,
10 convicted or diverted of the crime, except that:

11 (1) Upon conviction for any subsequent crime, the conviction that
12 was expunged may be considered as a prior conviction in determining the
13 sentence to be imposed;

14 (2) the petitioner shall disclose that the arrest, conviction or diversion
15 occurred if asked about previous arrests, convictions or diversions:

16 (A) In any application for licensure as a private detective, private
17 detective agency, certification as a firearms trainer pursuant to K.S.A. 75-
18 7b21, and amendments thereto, or employment as a detective with a
19 private detective agency, as defined by K.S.A. 75-7b01, and amendments
20 thereto; as security personnel with a private patrol operator, as defined by
21 K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined
22 in K.S.A. 76-12a01, and amendments thereto, of the Kansas department
23 for aging and disability services;

24 (B) in any application for admission, or for an order of reinstatement,
25 to the practice of law in this state;

26 (C) to aid in determining the petitioner's qualifications for
27 employment with the Kansas lottery or for work in sensitive areas within
28 the Kansas lottery as deemed appropriate by the executive director of the
29 Kansas lottery;

30 (D) to aid in determining the petitioner's qualifications for executive
31 director of the Kansas racing and gaming commission, for employment
32 with the commission or for work in sensitive areas in parimutuel racing as
33 deemed appropriate by the executive director of the commission, or to aid
34 in determining qualifications for licensure or renewal of licensure by the
35 commission;

36 (E) to aid in determining the petitioner's qualifications for the
37 following under the Kansas expanded lottery act: (i) Lottery gaming
38 facility manager or prospective manager, racetrack gaming facility
39 manager or prospective manager, licensee or certificate holder; or (ii) an
40 officer, director, employee, owner, agent or contractor thereof;

41 (F) upon application for a commercial driver's license under K.S.A.
42 8-2,125 through 8-2,142, and amendments thereto;

43 (G) to aid in determining the petitioner's qualifications to be an

1 employee of the state gaming agency;

2 (H) to aid in determining the petitioner's qualifications to be an
3 employee of a tribal gaming commission or to hold a license issued
4 pursuant to a tribal-state gaming compact;

5 (I) in any application for registration as a broker-dealer, agent,
6 investment adviser or investment adviser representative all as defined in
7 K.S.A. 17-12a102, and amendments thereto;

8 (J) in any application for employment as a law enforcement officer as
9 defined in K.S.A. 22-2202 or 74-5602, and amendments thereto; or

10 (K) to aid in determining the petitioner's qualifications for a license to
11 act as a bail enforcement agent pursuant to K.S.A. 75-7e01 through 75-
12 7e09, and amendments thereto, and K.S.A. 2024 Supp. 50-6,141, and
13 amendments thereto;

14 (3) the court, in the order of expungement, may specify other
15 circumstances under which the conviction is to be disclosed;

16 (4) the conviction may be disclosed in a subsequent prosecution for
17 an offense that requires as an element of such offense a prior conviction of
18 the type expunged; and

19 (5) upon commitment to the custody of the secretary of corrections,
20 any previously expunged record in the possession of the secretary of
21 corrections may be reinstated and the expungement disregarded, and the
22 record continued for the purpose of the new commitment.

23 (j) Whenever a person is convicted of a crime, pleads guilty and pays
24 a fine for a crime, is placed on parole, postrelease supervision or
25 probation, is assigned to a community correctional services program, is
26 granted a suspended sentence or is released on conditional release, the
27 person shall be informed of the ability to expunge the arrest records or
28 conviction. Whenever a person enters into a diversion agreement, the
29 person shall be informed of the ability to expunge the diversion.

30 (k) (1) Subject to the disclosures required pursuant to subsection (i),
31 in any application for employment, license or other civil right or privilege,
32 or any appearance as a witness, a person whose arrest records, conviction
33 or diversion of a crime has been expunged under this statute may state that
34 such person has never been arrested, convicted or diverted of such crime.

35 (2) A person whose arrest record, conviction or diversion of a crime
36 that resulted in such person being prohibited by state or federal law from
37 possessing a firearm has been expunged under this statute shall be deemed
38 to have had such person's right to keep and bear arms fully restored. This
39 restoration of rights shall include, but not be limited to, the right to use,
40 transport, receive, purchase, transfer and possess firearms. The provisions
41 of this paragraph shall apply to all orders of expungement, including any
42 orders issued prior to July 1, 2021.

43 (l) Whenever the record of any arrest, conviction or diversion has

1 been expunged under the provisions of this section or under the provisions
2 of any other existing or former statute, the custodian of the records of
3 arrest, conviction, diversion and incarceration relating to that crime shall
4 not disclose the existence of such records, except when requested by:

5 (1) The person whose record was expunged;

6 (2) a private detective agency or a private patrol operator, and the
7 request is accompanied by a statement that the request is being made in
8 conjunction with an application for employment with such agency or
9 operator by the person whose record has been expunged;

10 (3) a court, upon a showing of a subsequent conviction of the person
11 whose record has been expunged;

12 (4) the secretary for aging and disability services, or a designee of the
13 secretary, for the purpose of obtaining information relating to employment
14 in an institution, as defined in K.S.A. 76-12a01, and amendments thereto,
15 of the Kansas department for aging and disability services of any person
16 whose record has been expunged;

17 (5) a person entitled to such information pursuant to the terms of the
18 expungement order;

19 (6) a prosecutor, and such request is accompanied by a statement that
20 the request is being made in conjunction with a prosecution of an offense
21 that requires a prior conviction as one of the elements of such offense;

22 (7) the supreme court, the clerk or disciplinary administrator thereof,
23 the state board for admission of attorneys or the state board for discipline
24 of attorneys, and the request is accompanied by a statement that the
25 request is being made in conjunction with an application for admission, or
26 for an order of reinstatement, to the practice of law in this state by the
27 person whose record has been expunged;

28 (8) the Kansas lottery, and the request is accompanied by a statement
29 that the request is being made to aid in determining qualifications for
30 employment with the Kansas lottery or for work in sensitive areas within
31 the Kansas lottery as deemed appropriate by the executive director of the
32 Kansas lottery;

33 (9) the governor or the Kansas racing and gaming commission, or a
34 designee of the commission, and the request is accompanied by a
35 statement that the request is being made to aid in determining
36 qualifications for executive director of the commission, for employment
37 with the commission, for work in sensitive areas in parimutuel racing as
38 deemed appropriate by the executive director of the commission or for
39 licensure, renewal of licensure or continued licensure by the commission;

40 (10) the Kansas racing and gaming commission, or a designee of the
41 commission, and the request is accompanied by a statement that the
42 request is being made to aid in determining qualifications of the following
43 under the Kansas expanded lottery act: (A) Lottery gaming facility

1 managers and prospective managers, racetrack gaming facility managers
2 and prospective managers, licensees and certificate holders; and (B) their
3 officers, directors, employees, owners, agents and contractors;

4 (11) the Kansas sentencing commission;

5 (12) the state gaming agency, and the request is accompanied by a
6 statement that the request is being made to aid in determining
7 qualifications: (A) To be an employee of the state gaming agency; or (B)
8 to be an employee of a tribal gaming commission or to hold a license
9 issued pursuant to a tribal-gaming compact;

10 (13) the Kansas securities commissioner or a designee of the
11 commissioner, and the request is accompanied by a statement that the
12 request is being made in conjunction with an application for registration as
13 a broker-dealer, agent, investment adviser or investment adviser
14 representative by such agency and the application was submitted by the
15 person whose record has been expunged;

16 (14) the Kansas commission on peace officers' standards and training
17 and the request is accompanied by a statement that the request is being
18 made to aid in determining certification eligibility as a law enforcement
19 officer pursuant to K.S.A. 74-5601 et seq., and amendments thereto;

20 (15) a law enforcement agency and the request is accompanied by a
21 statement that the request is being made to aid in determining eligibility
22 for employment as a law enforcement officer as defined by K.S.A. 22-
23 2202, and amendments thereto;

24 (16) (A) the attorney general and the request is accompanied by a
25 statement that the request is being made to aid in determining
26 qualifications for a license to act as a bail enforcement agent pursuant to
27 K.S.A. 75-7e01 through 75-7e09, and amendments thereto, and K.S.A.
28 2024 Supp. 50-6,141, and amendments thereto; or

29 (B) the attorney general for any other purpose authorized by law,
30 except that an expungement record shall not be the basis for denial of a
31 license to carry a concealed handgun under the personal and family
32 protection act; or

33 (17) the Kansas bureau of investigation, for the purpose of
34 completing a person's criminal history record information within the
35 central repository, in accordance with K.S.A. 22-4701 et seq., and
36 amendments thereto.

37 (m) (1) The provisions of subsection (l)(17) shall apply to records
38 created prior to, on and after July 1, 2011.

39 (2) Upon the issuance of an order of expungement that resulted in the
40 restoration of a person's right to keep and bear arms, the Kansas bureau of
41 investigation shall report to the federal bureau of investigation that such
42 expunged record be withdrawn from the national instant criminal
43 background check system. The Kansas bureau of investigation shall

1 include such order of expungement in the person's criminal history record
2 for purposes of documenting the restoration of such person's right to keep
3 and bear arms.

4 Sec. 5. K.S.A. 22-2410 is hereby amended to read as follows: 22-
5 2410. (a) (1) Any person who has been arrested in this state may petition
6 the district court for the expungement of such arrest record.

7 (2) (A) If a person has been arrested in this state as a result of
8 mistaken identity or as a result of another person using the identifying
9 information of the named person, and the charge against the named person
10 is dismissed or not prosecuted, the prosecuting attorney or other judicial
11 officer who ordered the dismissal or declined to prosecute shall provide
12 notice to the court of such action and petition the district court for the
13 expungement of such arrest record, and the court shall order the arrest
14 record and subsequent court proceedings, if any, expunged and purged
15 from all applicable state and federal systems pursuant to subsection (d).

16 (B) For purposes of this section, the term "mistaken identity" means
17 the erroneous arrest of a person for a crime as a result of misidentification
18 by a witness or law enforcement, confusion on the part of a witness or law
19 enforcement as to the identity of the person who committed the crime,
20 misinformation provided to law enforcement as to the identity of the
21 person who committed the crime or some other mistake on the part of a
22 witness or law enforcement as to the identity of the person who committed
23 the crime. "Mistaken identity" shall not include any situation in which an
24 arrestee intentionally provides false information to law enforcement
25 officials in an attempt to conceal such person's identity.

26 (b) (1) When a petition for expungement is filed pursuant to
27 subsection (a)(1), the court shall set a date for hearing on such petition and
28 shall cause notice of such hearing to be given to the prosecuting attorney
29 and the arresting law enforcement agency. Any person who may have
30 relevant information about the petitioner may testify at the hearing. The
31 court may inquire into the background of the petitioner.

32 (2) When a petition for expungement is filed pursuant to subsection
33 (a)(1) or (a)(2), the official court file shall be separated from the other
34 records of the court, and shall be disclosed only to a judge of the court and
35 members of the staff of the court designated by a judge of the district
36 court, the prosecuting attorney, the arresting law enforcement agency, or
37 any other person when authorized by a court order, subject to any
38 conditions imposed by the order.

39 (3) (A) Except as otherwise provided by law, a petition for
40 expungement pursuant to subsection (a)(1) shall be accompanied by a
41 docket fee in the amount of \$176. Except as provided further, the docket
42 fee established in this section shall be the only fee collected or moneys in
43 the nature of a fee collected for the docket fee. Such fee shall only be

1 established by an act of the legislature and no other authority is established
2 by law or otherwise to collect a fee. On and after July 1, ~~2019~~ 2025,
3 through June 30, ~~2025~~ 2030, the supreme court may impose an additional
4 charge, not to exceed \$19 per docket fee, to fund the costs of non-judicial
5 personnel.

6 (B) No surcharge or fee shall be imposed to any person filing a
7 petition pursuant to subsection (a)(1), who was arrested as a result of being
8 a victim of identity theft under K.S.A. 21-4018, prior to its repeal, or
9 K.S.A. 21-6107(a), and amendments thereto, or who has had criminal
10 charges dismissed because a court has found that there was no probable
11 cause for the arrest, the petitioner was found not guilty in court
12 proceedings or the charges have been dismissed.

13 (4) The petition filed pursuant to subsection (a)(1) or (a)(2) shall
14 state:

15 (A) The petitioner's full name;

16 (B) the full name of the petitioner at the time of arrest, if different
17 than the petitioner's current name;

18 (C) the petitioner's sex, race and date of birth;

19 (D) the crime for which the petitioner was arrested;

20 (E) the date of the petitioner's arrest; and

21 (F) the identity of the arresting law enforcement agency.

22 (c) At the hearing on a petition for expungement pursuant to
23 subsection (a)(1), the court shall order the arrest record and subsequent
24 court proceedings, if any, expunged upon finding:

25 (1) The arrest occurred because of mistaken identity;

26 (2) a court has found that there was no probable cause for the arrest;

27 (3) the petitioner was found not guilty in court proceedings; or

28 (4) the expungement would be in the best interests of justice and: (A)

29 Charges have been dismissed; or (B) no charges have been or are likely to
30 be filed.

31 (d) (1) When the court has ordered expungement of an arrest record
32 and subsequent court proceedings, if any, on a petition for expungement
33 pursuant to subsection (a)(1), the order shall state the information required
34 to be stated in the petition and shall state the grounds for expungement
35 under subsection (c). The clerk of the court shall send a certified copy of
36 the order to the Kansas bureau of investigation which shall notify the
37 federal bureau of investigation, the secretary of corrections and any other
38 criminal justice agency which may have a record of the arrest. If the case
39 was appealed from municipal court, the clerk of the district court shall
40 send a certified copy of the order of expungement to the municipal court.
41 The municipal court shall order the case expunged once the certified copy
42 of the order of expungement is received. If an order of expungement is
43 entered, the petitioner pursuant to subsection (a)(1) shall be treated as not

1 having been arrested.

2 (2) When the court has ordered expungement of arrest records on a
3 petition for expungement pursuant to subsection (a)(2), the order shall
4 state the information required to be stated in the petition and shall state the
5 grounds for expungement under subsection (a)(2). The order shall also
6 direct the Kansas bureau of investigation to purge the arrest information
7 from the criminal justice information system central repository and all
8 applicable state and federal databases. The clerk of the court shall send a
9 certified copy of the order to the Kansas bureau of investigation, which
10 shall carry out the order and shall notify the federal bureau of
11 investigation, the secretary of corrections and any other criminal justice
12 agency that may have a record of the arrest. If an order of expungement is
13 entered, the person eligible for mandatory expungement pursuant to
14 subsection (a)(2) shall be treated as not having been arrested.

15 (e) If the ground for expungement is as provided in subsection (c)(4),
16 the court shall determine whether, in the interests of public welfare, the
17 records should be available for any of the following purposes:

18 (1) In any application for employment as a detective with a private
19 detective agency, as defined in K.S.A. 75-7b01, and amendments thereto;
20 as security personnel with a private patrol operator, as defined by K.S.A.
21 75-7b01, and amendments thereto; or with an institution, as defined in
22 K.S.A. 76-12a01, and amendments thereto, of the Kansas department for
23 aging and disability services;

24 (2) in any application for admission, or for an order of reinstatement,
25 to the practice of law in this state;

26 (3) to aid in determining the petitioner's qualifications for
27 employment with the Kansas lottery or for work in sensitive areas within
28 the Kansas lottery as deemed appropriate by the executive director of the
29 Kansas lottery;

30 (4) to aid in determining the petitioner's qualifications for executive
31 director of the Kansas racing commission, for employment with the
32 commission or for work in sensitive areas in parimutuel racing as deemed
33 appropriate by the executive director of the commission, or to aid in
34 determining qualifications for licensure or renewal of licensure by the
35 commission;

36 (5) in any application for a commercial driver's license under K.S.A.
37 8-2,125 through 8-2,142, and amendments thereto;

38 (6) to aid in determining the petitioner's qualifications to be an
39 employee of the state gaming agency;

40 (7) to aid in determining the petitioner's qualifications to be an
41 employee of a tribal gaming commission or to hold a license issued
42 pursuant to a tribal-state gaming compact; or

43 (8) in any other circumstances which the court deems appropriate.

1 (f) The court shall make all expunged records and related information
2 in such court's possession, created prior to, on and after July 1, 2011,
3 available to the Kansas bureau of investigation for the purposes of:

4 (1) Completing a person's criminal history record information within
5 the central repository in accordance with K.S.A. 22-4701 et seq., and
6 amendments thereto; or

7 (2) providing information or documentation to the federal bureau of
8 investigation, in connection with the national instant criminal background
9 check system, to determine a person's qualification to possess a firearm.

10 (g) Subject to any disclosures required under subsection (e), in any
11 application for employment, license or other civil right or privilege, or any
12 appearance as a witness, a person whose arrest records have been
13 expunged as provided in this section may state that such person has never
14 been arrested.

15 (h) Whenever a person's arrest records have been expunged as
16 provided in this section, the custodian of the records of arrest,
17 incarceration due to arrest or court proceedings related to the arrest, shall
18 not disclose the arrest or any information related to the arrest, except as
19 directed by the order of expungement or when requested by the person
20 whose arrest record was expunged.

21 (i) The docket fee collected at the time the petition for expungement
22 is filed pursuant to subsection (a)(1) shall be disbursed in accordance with
23 K.S.A. 20-362, and amendments thereto.

24 Sec. 6. K.S.A. 23-2510 is hereby amended to read as follows: 23-
25 2510. (a) The judge or clerk of the district court shall collect from the
26 applicant for a marriage license a fee of \$59.

27 (b) The clerk of the court shall remit all fees prescribed by this
28 section to the state treasurer in accordance with the provisions of K.S.A.
29 75-4215, and amendments thereto. Upon receipt of each such remittance,
30 the state treasurer shall deposit the entire amount in the state treasury. Of
31 each remittance, the state treasurer shall credit 38.98% to the protection
32 from abuse fund, 15.19% to the family and children trust account of the
33 family and children investment fund created by K.S.A. 38-1808, and
34 amendments thereto, 16.95% to the crime victims assistance fund created
35 by K.S.A. 74-7334, and amendments thereto, and the remainder to the
36 state general fund.

37 (c) Except as provided further, the marriage license fee established in
38 this section shall be the only fee collected or moneys in the nature of a fee
39 collected for a marriage license. Such fee shall only be established by an
40 act of the legislature and no other authority is established by law or
41 otherwise to collect a fee. On and after July 1, ~~2019~~ 2025, through June
42 30, ~~2025~~ 2030, the supreme court may impose an additional charge, not to
43 exceed \$26.50 per marriage license fee, to fund the costs of non-judicial

1 personnel.

2 Sec. 7. K.S.A. 28-170 is hereby amended to read as follows: 28-170.

3 (a) The docket fee prescribed by K.S.A. 60-2001, and amendments thereto,
4 and the fees for service of process, shall be the only costs assessed for
5 services of the clerk of the district court and the sheriff in any case filed
6 under chapter 60 or chapter 61 of the Kansas Statutes Annotated, and
7 amendments thereto, except that no fee shall be charged for an action filed
8 under K.S.A. 60-3101 et seq., and under K.S.A. 60-31a01 et seq., and
9 amendments thereto. For services in other matters in which no other fee is
10 prescribed by statute, the following fees shall be charged and collected by
11 the clerk. Only one fee shall be charged for each bond, lien or judgment:

- 12 1. For filing, entering and releasing a bond, mechanic's lien, notice of
13 intent to perform, personal property tax judgment or any judgment on
14 which execution process cannot be issued\$14
- 15 2. For filing, entering and releasing a judgment of a court of this state on
16 which execution or other process can be issued \$24
- 17 3. For a certificate, or for copying or certifying any paper or writ, such fee
18 as shall be prescribed by the district court.

19 (b) The fees for entries, certificates and other papers required in
20 naturalization cases shall be those prescribed by the federal government
21 and, when collected, shall be disbursed as prescribed by the federal
22 government. The clerk of the court shall remit to the state treasurer at least
23 monthly all moneys received from fees prescribed by subsection (a) or (b)
24 or received for any services performed which may be required by law. The
25 state treasurer shall deposit the remittance in the state treasury and credit
26 the entire amount to the state general fund.

27 (c) In actions pursuant to the revised Kansas code for care of
28 children, K.S.A. 38-2201 et seq., and amendments thereto, the revised
29 Kansas juvenile justice code, K.S.A. 38-2301 et seq., and amendments
30 thereto, the act for treatment of alcoholism, K.S.A. 65-4001 et seq., and
31 amendments thereto, the act for treatment of drug abuse, K.S.A. 65-5201
32 et seq., and amendments thereto, or the care and treatment act for mentally
33 ill persons, K.S.A. 59-2945 et seq., and amendments thereto, the clerk
34 shall charge an additional fee of \$1 which shall be deducted from the
35 docket fee and credited to the prosecuting attorneys' training fund as
36 provided in K.S.A. 28-170a, and amendments thereto.

37 (d) Except as provided further, the bond, lien or judgment fee
38 established in subsection (a) shall be the only fee collected or moneys in
39 the nature of a fee collected for such bond, lien or judgment. Such fee shall
40 only be established by an act of the legislature and no other authority is
41 established by law or otherwise to collect a fee. On and after July 1, ~~2019~~
42 2025, through June 30, ~~2025~~ 2030, the supreme court may impose an
43 additional charge, not to exceed \$22 per bond, lien or judgment fee, to

1 fund the costs of non-judicial personnel.

2 Sec. 8. K.S.A. 28-172a is hereby amended to read as follows: 28-
3 172a. (a) Except as otherwise provided in this section, whenever the
4 prosecuting witness or defendant is adjudged to pay the costs in a criminal
5 proceeding in any county, a docket fee shall be taxed as follows:

6 Murder or manslaughter.....	\$180.50
7 Other felony.....	171.00
8 Misdemeanor.....	136.00
9 Forfeited recognizance.....	72.50
10 Appeals from other courts.....	72.50

11 (b) (1) Except as provided in paragraph (2), in actions involving the
12 violation of any of the laws of this state regulating traffic on highways,
13 including those listed in K.S.A. 8-2118(c), and amendments thereto, a
14 cigarette or tobacco infraction, any act declared a crime pursuant to the
15 statutes contained in chapter 32 of the Kansas Statutes Annotated, and
16 amendments thereto, or any act declared a crime pursuant to the statutes
17 contained in article 8 of chapter 82a of the Kansas Statutes Annotated, and
18 amendments thereto, whenever the prosecuting witness or defendant is
19 adjudged to pay the costs in the action, a docket fee of \$86 shall be
20 charged. When an action is disposed of under K.S.A. 8-2118(a) and (b), or
21 K.S.A. 79-3393(f), and amendments thereto, the docket fee to be paid as
22 court costs shall be \$86.

23 (2) In actions involving the violation of a moving traffic violation
24 under K.S.A. 8-2118, and amendments thereto, as defined by rules and
25 regulations adopted under K.S.A. 8-249, and amendments thereto,
26 whenever the prosecuting witness or defendant is adjudged to pay the costs
27 in the action, a docket fee of \$86 shall be charged. When an action is
28 disposed of under K.S.A. 8-2118(a) and (b), and amendments thereto, the
29 docket fee to be paid as court costs shall be \$86.

30 (c) If a conviction is on more than one count, the docket fee shall be
31 the highest one applicable to any one of the counts. The prosecuting
32 witness or defendant, if assessed the costs, shall pay only one fee. Multiple
33 defendants shall each pay one fee.

34 (d) Statutory charges made pursuant to the provisions of K.S.A. 20-
35 362, and amendments thereto, shall be paid from the docket fee; the family
36 violence and child abuse and neglect assistance and prevention fund fee
37 shall be paid from criminal proceedings docket fees. All other fees and
38 expenses to be assessed as additional court costs shall be approved by the
39 court, unless specifically fixed by statute. Additional fees shall include, but
40 are not limited to, fees for Kansas bureau of investigation forensic or
41 laboratory analyses, fees for detention facility processing pursuant to
42 K.S.A. 12-16,119, and amendments thereto, fees for the sexual assault
43 evidence collection kit, fees for conducting an examination of a sexual

1 assault victim, fees for service of process outside the state, witness fees,
2 fees for transcripts and depositions, costs from other courts, doctors' fees
3 and examination and evaluation fees. No sheriff in this state shall charge
4 any district court of this state a fee or mileage for serving any paper or
5 process.

6 (e) In each case charging a violation of the laws relating to parking of
7 motor vehicles on the statehouse grounds or other state-owned or operated
8 property in Shawnee county, Kansas, as specified in K.S.A. 75-4510a, and
9 amendments thereto, or as specified in K.S.A. 75-4508, and amendments
10 thereto, the clerk shall tax a fee of \$2 which shall constitute the entire costs
11 in the case, except that witness fees, mileage and expenses incurred in
12 serving a warrant shall be in addition to the fee. Appearance bond for a
13 parking violation of K.S.A. 75-4508 or 75-4510a, and amendments
14 thereto, shall be \$3, unless a warrant is issued. The judge may order the
15 bond forfeited upon the defendant's failure to appear, and \$2 of any bond
16 so forfeited shall be regarded as court costs.

17 (f) Except as provided further, the docket fee established in this
18 section shall be the only fee collected or moneys in the nature of a fee
19 collected for the docket fee. Such fee shall only be established by an act of
20 the legislature and no other authority is established by law or otherwise to
21 collect a fee. On and after July 1, ~~2019~~ 2025, through June 30, ~~2025~~ 2030,
22 the supreme court may impose an additional charge, not to exceed \$22 per
23 docket fee, to fund the costs of non-judicial personnel.

24 Sec. 9. K.S.A. 2024 Supp. 28-177 is hereby amended to read as
25 follows: 28-177. (a) Except as provided in this section and K.S.A. 28-178,
26 and amendments thereto, the fees established by legislative enactment
27 shall be the only fee collected or moneys in the nature of a fee collected
28 for court procedures. Such fee shall only be established by an act of the
29 legislature and no other authority is established by law or otherwise to
30 collect a fee. Court procedures shall include docket fees, filing fees or
31 other fees related to access to court procedures. On and after July 1, ~~2019~~
32 2025, through June 30, ~~2025~~ 2030, the supreme court may impose an
33 additional charge, not to exceed \$26.50 per fee or the amount established
34 by the applicable statute, whichever amount is less, to fund the costs of
35 non-judicial personnel.

36 (b) Such additional charge imposed by the court pursuant to K.S.A. 8-
37 2107, 8-2110, ~~20-3021~~, ~~21-6614~~, 22-2410, 23-2510, 28-170, 28-172a, 28-
38 178, 28-179, 32-1049a, 38-2215, 38-2312, 38-2314, 59-104, ~~60-729~~, 60-
39 2001, 60-2203a, 61-2704, 61-4001 and 65-409 ~~and K.S.A. 21-6614 and~~
40 ~~23-2510~~, and amendments thereto, shall be remitted to the state treasurer
41 in accordance with the provisions of K.S.A. 75-4215, and amendments
42 thereto. Upon receipt of each such remittance, the state treasurer shall
43 deposit the entire amount in the state treasury to the credit of the state

1 general fund.

2 (c) There is hereby established in the state treasury the judicial branch
3 docket fee fund which shall be administered by the chief justice at the
4 Kansas supreme court. Moneys credited to the judicial branch docket fee
5 fund shall not be expended for compensation of judges or justices of the
6 judicial branch.

7 (d) All expenditures from the judicial branch docket fee fund shall be
8 made in accordance with appropriation acts and upon warrants of the
9 director of accounts and reports issued pursuant to vouchers approved by
10 the chief justice of the Kansas supreme court or by a person or persons
11 designated by the chief justice.

12 Sec. 10. K.S.A. 2024 Supp. 28-178 is hereby amended to read as
13 follows: 28-178. (a) In addition to any other fees specifically prescribed by
14 law, on and after July 1, ~~2019~~ 2025, through June 30, ~~2025~~ 2030, the
15 supreme court may impose a charge, not to exceed \$12.50 per fee, to fund
16 the costs of non-judicial personnel, on the following:

17 (1) A person who requests an order or writ of execution pursuant to
18 K.S.A. 60-2401 or 61-3602, and amendments thereto.

19 (2) Persons who request a hearing in aid of execution pursuant to
20 K.S.A. 60-2419, and amendments thereto.

21 (3) A person requesting an order for garnishment pursuant to article 7
22 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto,
23 or article 35 of chapter 61 of the Kansas Statutes Annotated, and
24 amendments thereto.

25 (4) Persons who request a writ or order of sale pursuant to K.S.A. 60-
26 2401 or 61-3602, and amendments thereto.

27 (5) A person who requests a hearing in aid of execution pursuant to
28 K.S.A. 61-3604, and amendments thereto.

29 (6) A person who requests an attachment against the property of a
30 defendant or any one or more of several defendants pursuant to K.S.A. 60-
31 701 or 61-3501, and amendments thereto.

32 (b) The clerk of the district court shall remit all revenues received
33 from the fees imposed pursuant to subsection (a) to the state treasurer, in
34 accordance with the provisions of K.S.A. 75-4215, and amendments
35 thereto. Upon receipt of each such remittance, the state treasurer shall
36 deposit the entire amount in the state treasury to the credit of the state
37 general fund.

38 (c) The fees established in this section shall be the only fee collected
39 or moneys in the nature of a fee collected for such court procedures. Such
40 fee shall only be established by an act of the legislature and no other
41 authority is established by law or otherwise to collect a fee.

42 Sec. 11. K.S.A. 28-179 is hereby amended to read as follows: 28-179.

43 (a) No post-decree motion petitioning for a modification or termination of

1 separate maintenance, for a change in legal custody, residency, visitation
2 rights or parenting time or for a modification of child support shall be filed
3 or docketed in the district court without payment of a docket fee in the
4 amount of \$40 to the clerk of the district court.

5 (b) A poverty affidavit may be filed in lieu of a docket fee as
6 established in K.S.A. 60-2001, and amendments thereto.

7 (c) The docket fee shall be the only costs assessed in each case for
8 services of the clerk of the district court and the sheriff. The docket fee
9 shall be disbursed in accordance with K.S.A. 20-362, and amendments
10 thereto.

11 (d) Except as provided further, the docket fee established in this
12 section shall be the only fee collected or moneys in the nature of a fee
13 collected for the docket fee. Such fee shall only be established by an act of
14 the legislature and no other authority is established by law or otherwise to
15 collect a fee. On and after July 1, ~~2019~~ 2025, through June 30, ~~2025~~ 2030,
16 the supreme court may impose an additional charge, not to exceed \$22 per
17 docket fee, to fund the costs of non-judicial personnel.

18 Sec. 12. K.S.A. 2024 Supp. 32-1049a is hereby amended to read as
19 follows: 32-1049a. (a) (1) Failure to comply with a wildlife and parks
20 citation means failure to:

21 (A) Appear before any district court in response to a wildlife and
22 parks citation and pay in full any fine, court costs, assessments or fees
23 imposed;

24 (B) fully pay or satisfy all fines, court costs, assessments or fees
25 imposed as a part of the sentence of any district court for violation of the
26 wildlife and parks laws of this state; or

27 (C) otherwise comply with a wildlife and parks citation as provided
28 in K.S.A. 32-1049, and amendments thereto.

29 (2) Failure to comply with a wildlife and parks citation is a class C
30 nonperson misdemeanor, regardless of the disposition of the charge for
31 which such citation, complaint or charge was originally issued.

32 (b) The term "citation" means any complaint, summons, notice to
33 appear, ticket, warrant, penalty assessment or other official document
34 issued for the prosecution of the wildlife and parks laws or rules and
35 regulations of this state.

36 (c) In addition to penalties of law applicable under subsection (a)
37 when a person fails to comply with a wildlife and parks citation or
38 sentence for a violation of wildlife and parks laws or rules and regulations,
39 the district court in which the person should have complied shall mail a
40 notice to the person that if the person does not appear in the district court
41 or pay all fines, court costs, assessments or fees, and any penalties
42 imposed within 30 days from the date of mailing, the Kansas department
43 of wildlife and parks shall be notified to forfeit or suspend any license,

1 permit, stamp or other issue of the department. Upon receipt of a report of
2 a failure to comply with a wildlife and parks citation under this section,
3 and amendments thereto, the department shall notify the violator and
4 suspend or forfeit the license, permit, stamp or other issue of the
5 department held by the violator until satisfactory evidence of compliance
6 with the wildlife and parks citation or sentence of the district court for
7 violation of the wildlife and parks laws or rules and regulations of this
8 state are furnished to the informing court. Upon receipt of notification of
9 such compliance from the informing court, the department shall terminate
10 the suspension action, unless the violator is otherwise suspended.

11 (d) Except as provided in subsection (e), when the district court
12 notifies the department of a failure to comply with a wildlife and parks
13 citation or failure to comply with a sentence of the district court imposed
14 on violation of a wildlife and parks law or rule and regulation, the court
15 shall assess a reinstatement fee of \$50 for each charge or sentence on
16 which the person failed to make satisfaction, regardless of the disposition
17 of the charge for which such citation was originally issued. Such
18 reinstatement fee shall be in addition to any fine, court costs and other
19 assessments, fees or penalties. The court shall remit all reinstatement fees
20 to the state treasurer in accordance with the provisions of K.S.A. 75-4215,
21 and amendments thereto. Upon receipt of each remittance, the state
22 treasurer shall deposit the entire amount in the state treasury and shall
23 credit such moneys to the state general fund.

24 (e) The district court shall waive the reinstatement fee provided for in
25 subsection (d), if the failure to comply with a wildlife and parks citation
26 was the result of such person enlisting in or being drafted into the armed
27 services of the United States of America, being called into service as a
28 member of a reserve component of the military service of the United
29 States of America, or volunteering for such active duty or being called into
30 service as a member of the Kansas national guard or volunteering for such
31 active duty and being absent from Kansas because of such military service.
32 The state treasurer and the director of accounts and reports shall prescribe
33 procedures for all such reimbursement payments and shall create
34 appropriate accounts, make appropriate accounting entries and issue such
35 appropriate vouchers and warrants as may be required to make such
36 reimbursement payments.

37 (f) Except as provided further, the reinstatement fee established in
38 subsection (d) shall be the only fee collected or moneys in the nature of a
39 fee collected for such reinstatement. Such fee shall only be established by
40 an act of the legislature and no other authority is established by law or
41 otherwise to collect a fee. On and after July 1, ~~2019~~ 2025, through June
42 30, ~~2025~~ 2030, the supreme court may impose an additional charge, not to
43 exceed \$22 per reinstatement fee, to fund the costs of non-judicial

1 personnel.

2 Sec. 13. K.S.A. 38-2215 is hereby amended to read as follows: 38-
3 2215. (a) *Docket fee*. The docket fee for proceedings under this code, if
4 one is assessed as provided in this section, shall be \$34. Only one docket
5 fee shall be assessed in each case. Except as provided further, the docket
6 fee established in this section shall be the only fee collected or moneys in
7 the nature of a fee collected for the docket fee. Such fee shall only be
8 established by an act of the legislature and no other authority is established
9 by law or otherwise to collect a fee. On and after July 1, ~~2019~~ 2025,
10 through June 30, ~~2025~~ 2030, the supreme court may impose an additional
11 charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial
12 personnel.

13 (b) *Expenses*. The expenses for proceedings under this code,
14 including fees and mileage allowed witnesses and fees and expenses
15 approved by the court for appointed attorneys, shall be paid by the board
16 of county commissioners from the general fund of the county.

17 (c) *Assessment of docket fee and expenses*. (1) *Docket fee*. The docket
18 fee may be assessed or waived by the court conducting the initial
19 dispositional hearing and the docket fee may be assessed against the
20 complaining witness or person initiating the proceedings or a party or
21 interested party other than the state, a political subdivision of the state, an
22 agency of the state or of a political subdivision of the state, or a person
23 acting in the capacity of an employee of the state or of a political
24 subdivision of the state. Any docket fee received shall be remitted to the
25 state treasurer pursuant to K.S.A. 20-362, and amendments thereto.

26 (2) *Expenses*. Expenses may be assessed against the complaining
27 witness, a person initiating the proceedings, a party or an interested party,
28 other than the state, a political subdivision of the state, an agency of the
29 state or of a political subdivision of the state or a person acting in the
30 capacity of an employee of the state or of a political subdivision of the
31 state. When expenses are recovered from a person against whom they have
32 been assessed the general fund of the county shall be reimbursed in the
33 amount of the recovery. If it appears to the court in any proceedings under
34 this code that expenses were unreasonably incurred at the request of any
35 party the court may assess that portion of the expenses against the party.

36 (d) *Cases in which venue is transferred*. If venue is transferred from
37 one county to another, the court from which the case is transferred shall
38 send to the receiving court a statement of expenses paid from the general
39 fund of the sending county. If the receiving court collects any of the
40 expenses owed in the case, the receiving court shall pay to the sending
41 court an amount proportional to the sending court's share of the total
42 expenses owed to both counties. The expenses of the sending county shall
43 not be an obligation of the receiving county except to the extent that the

1 sending county's proportion of the expenses is collected by the receiving
2 court. All amounts collected shall first be applied toward payment of the
3 docket fee.

4 Sec. 14. K.S.A. 38-2312 is hereby amended to read as follows: 38-
5 2312. (a) Except as provided in subsections (b) and (c), any records or files
6 specified in this code concerning a juvenile may be expunged upon
7 application to a judge of the court of the county in which the records or
8 files are maintained. The application for expungement may be made by the
9 juvenile, if 18 years of age or older or, if the juvenile is less than 18 years
10 of age, by the juvenile's parent or next friend.

11 (b) There shall be no expungement of records or files concerning acts
12 committed by a juvenile which, if committed by an adult, would constitute
13 a violation of K.S.A. 21-3401, prior to its repeal, or K.S.A. 21-5402, and
14 amendments thereto, murder in the first degree; K.S.A. 21-3402, prior to
15 its repeal, or K.S.A. 21-5403, and amendments thereto, murder in the
16 second degree; K.S.A. 21-3403, prior to its repeal, or K.S.A. 21-5404, and
17 amendments thereto, voluntary manslaughter; K.S.A. 21-3404, prior to its
18 repeal, or K.S.A. 21-5405, and amendments thereto, involuntary
19 manslaughter; K.S.A. 21-3439, prior to its repeal, or K.S.A. 21-5401, and
20 amendments thereto, capital murder; K.S.A. 21-3442, prior to its repeal, or
21 K.S.A. 21-5405(a)(3) or (a)(5), and amendments thereto, involuntary
22 manslaughter while driving under the influence of alcohol or drugs; K.S.A.
23 21-3502, prior to its repeal, or K.S.A. 21-5503, and amendments thereto,
24 rape; K.S.A. 21-3503, prior to its repeal, or K.S.A. 21-5506(a), and
25 amendments thereto, indecent liberties with a child; K.S.A. 21-3504, prior
26 to its repeal, or K.S.A. 21-5506(b), and amendments thereto, aggravated
27 indecent liberties with a child; K.S.A. 21-3506, prior to its repeal, or
28 K.S.A. 21-5504(b), and amendments thereto, aggravated criminal sodomy;
29 K.S.A. 21-3510, prior to its repeal, or K.S.A. 21-5508(a), and amendments
30 thereto, indecent solicitation of a child; K.S.A. 21-3511, prior to its repeal,
31 or K.S.A. 21-5508(b), and amendments thereto, aggravated indecent
32 solicitation of a child; K.S.A. 21-3516, prior to its repeal, or K.S.A. 21-
33 5510, and amendments thereto, sexual exploitation of a child; K.S.A. 21-
34 5514(a), and amendments thereto, internet trading in child pornography;
35 K.S.A. 21-5514(b), and amendments thereto, aggravated internet trading in
36 child pornography; K.S.A. 21-3603, prior to its repeal, or K.S.A. 21-
37 5604(b), and amendments thereto, aggravated incest; K.S.A. 21-3608,
38 prior to its repeal, or K.S.A. 21-5601(a), and amendments thereto,
39 endangering a child; K.S.A. 21-3609, prior to its repeal, or K.S.A. 21-
40 5602, and amendments thereto, abuse of a child; or which would constitute
41 an attempt to commit a violation of any of the offenses specified in this
42 subsection.

43 (c) Notwithstanding any other law to the contrary, for any offender

1 who is required to register as provided in the Kansas offender registration
2 act, K.S.A. 22-4901 et seq., and amendments thereto, there shall be no
3 expungement of any conviction or any part of the offender's criminal
4 record while the offender is required to register as provided in the Kansas
5 offender registration act.

6 (d) When a petition for expungement is filed, the court shall set a date
7 for a hearing on the petition and shall give notice thereof to the county or
8 district attorney. The petition shall state: (1) The juvenile's full name; (2)
9 the full name of the juvenile as reflected in the court record, if different
10 than (1); (3) the juvenile's sex and date of birth; (4) the offense for which
11 the juvenile was adjudicated; (5) the date of the trial; and (6) the identity
12 of the trial court. Except as otherwise provided by law, a petition for
13 expungement shall be accompanied by a docket fee in the amount of \$176.
14 On and after July 1, ~~2019~~ 2025, through June 30, ~~2025~~ 2030, the supreme
15 court may impose a charge, not to exceed \$19 per case, to fund the costs of
16 non-judicial personnel. All petitions for expungement shall be docketed in
17 the original action. Any person who may have relevant information about
18 the petitioner may testify at the hearing. The court may inquire into the
19 background of the petitioner.

20 (e) (1) After hearing, the court shall order the expungement of the
21 records and files if the court finds that:

22 (A) (i) The juvenile has reached 23 years of age or that two years
23 have elapsed since the final discharge;

24 (ii) one year has elapsed since the final discharge for an adjudication
25 concerning acts committed by a juvenile which, if committed by an adult,
26 would constitute a violation of K.S.A. 21-6419, and amendments thereto;
27 or

28 (iii) the juvenile is a victim of human trafficking, aggravated human
29 trafficking or commercial sexual exploitation of a child, the adjudication
30 concerned acts committed by the juvenile as a result of such victimization,
31 including, but not limited to, acts which, if committed by an adult, would
32 constitute a violation of K.S.A. 21-6203 or 21-6419, and amendments
33 thereto, and the hearing on expungement occurred on or after the date of
34 final discharge. The provisions of this clause shall not allow an
35 expungement of records or files concerning acts described in subsection
36 (b);

37 (B) since the final discharge of the juvenile, the juvenile has not been
38 convicted of a felony or of a misdemeanor other than a traffic offense or
39 adjudicated as a juvenile offender under the revised Kansas juvenile justice
40 code and no proceedings are pending seeking such a conviction or
41 adjudication; and

42 (C) the circumstances and behavior of the petitioner warrant
43 expungement.

1 (2) The court may require that all court costs, fees and restitution
2 shall be paid.

3 (f) Upon entry of an order expunging records or files, the offense
4 which the records or files concern shall be treated as if it never occurred,
5 except that upon conviction of a crime or adjudication in a subsequent
6 action under this code the offense may be considered in determining the
7 sentence to be imposed. The petitioner, the court and all law enforcement
8 officers and other public offices and agencies shall properly reply on
9 inquiry that no record or file exists with respect to the juvenile. Inspection
10 of the expunged files or records thereafter may be permitted by order of
11 the court upon petition by the person who is the subject thereof. The
12 inspection shall be limited to inspection by the person who is the subject of
13 the files or records and the person's designees.

14 (g) A certified copy of any order made pursuant to subsection (a) or
15 (d) shall be sent to the Kansas bureau of investigation, which shall notify
16 every juvenile or criminal justice agency which may possess records or
17 files ordered to be expunged. If the agency fails to comply with the order
18 within a reasonable time after its receipt, such agency may be adjudged in
19 contempt of court and punished accordingly.

20 (h) The court shall inform any juvenile who has been adjudicated a
21 juvenile offender of the provisions of this section.

22 (i) Nothing in this section shall be construed to prohibit the
23 maintenance of information relating to an offense after records or files
24 concerning the offense have been expunged if the information is kept in a
25 manner that does not enable identification of the juvenile.

26 (j) Nothing in this section shall be construed to permit or require
27 expungement of files or records related to a child support order registered
28 pursuant to the revised Kansas juvenile justice code.

29 (k) Whenever the records or files of any adjudication have been
30 expunged under the provisions of this section, the custodian of the records
31 or files of adjudication relating to that offense shall not disclose the
32 existence of such records or files, except when requested by:

33 (1) The person whose record was expunged;

34 (2) a private detective agency or a private patrol operator, and the
35 request is accompanied by a statement that the request is being made in
36 conjunction with an application for employment with such agency or
37 operator by the person whose record has been expunged;

38 (3) a court, upon a showing of a subsequent conviction of the person
39 whose record has been expunged;

40 (4) the secretary for aging and disability services, or a designee of the
41 secretary, for the purpose of obtaining information relating to employment
42 in an institution, as defined in K.S.A. 76-12a01, and amendments thereto,
43 of the Kansas department for aging and disability services of any person

1 whose record has been expunged;

2 (5) a person entitled to such information pursuant to the terms of the
3 expungement order;

4 (6) the Kansas lottery, and the request is accompanied by a statement
5 that the request is being made to aid in determining qualifications for
6 employment with the Kansas lottery or for work in sensitive areas within
7 the Kansas lottery as deemed appropriate by the executive director of the
8 Kansas lottery;

9 (7) the governor or the Kansas racing commission, or a designee of
10 the commission, and the request is accompanied by a statement that the
11 request is being made to aid in determining qualifications for executive
12 director of the commission, for employment with the commission, for
13 work in sensitive areas in parimutuel racing as deemed appropriate by the
14 executive director of the commission or for licensure, renewal of licensure
15 or continued licensure by the commission;

16 (8) the Kansas sentencing commission; or

17 (9) the Kansas bureau of investigation, for the purposes of:

18 (A) Completing a person's criminal history record information within
19 the central repository in accordance with K.S.A. 22-4701 et seq., and
20 amendments thereto; or

21 (B) providing information or documentation to the federal bureau of
22 investigation, in connection with the national instant criminal background
23 check system, to determine a person's qualification to possess a firearm.

24 (l) The provisions of subsection (k)(9) shall apply to all records
25 created prior to, on and after July 1, 2011.

26 Sec. 15. K.S.A. 38-2314 is hereby amended to read as follows: 38-
27 2314. (a) *Docket fee*. The docket fee for proceedings under this code, if
28 one is assessed as provided by this section, shall be \$34. Only one docket
29 fee shall be assessed in each case. Except as provided further, the docket
30 fee established in this section shall be the only fee collected or moneys in
31 the nature of a fee collected for the docket fee. Such fee shall only be
32 established by an act of the legislature and no other authority is established
33 by law or otherwise to collect a fee. On and after July 1, ~~2019~~ 2025,
34 through June 30, ~~2025~~ 2030, the supreme court may impose an additional
35 charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial
36 personnel.

37 (b) *Expenses*. The expenses for proceedings under this code,
38 including fees and mileage allowed witnesses and fees and expenses
39 approved by the court for appointed attorneys, shall be paid by the board
40 of county commissioners from the general fund of the county.

41 (c) *Assessment of docket fee and expenses*. (1) *Docket fee*. The docket
42 fee may be assessed or waived by the court conducting the initial
43 sentencing hearing and may be assessed against the juvenile or the parent

1 of the juvenile. Any docket fee received shall be remitted to the state
2 treasurer pursuant to K.S.A. 20-362, and amendments thereto.

3 (2) *Expenses.* Expenses may be waived or assessed against the
4 juvenile or a parent of the juvenile. When expenses are recovered from a
5 party against whom they have been assessed the general fund of the county
6 shall be reimbursed in the amount of the recovery.

7 (3) *Prohibited assessment.* Docket fees or expenses shall not be
8 assessed against the state, a political subdivision of the state, an agency of
9 the state or of a political subdivision of the state or a person acting in the
10 capacity of an employee of the state or of a political subdivision of the
11 state.

12 (d) *Cases in which venue is transferred.* If venue is transferred from
13 one county to another, the court from which the case is transferred shall
14 send to the receiving court a statement of expenses paid from the general
15 fund of the sending county. If the receiving court collects any of the
16 expenses owed in the case, the receiving court shall pay to the sending
17 court an amount proportional to the sending court's share of the total
18 expenses owed to both counties. The expenses of the sending county shall
19 not be an obligation of the receiving county except to the extent that the
20 sending county's proportionate share of the expenses is collected by the
21 receiving court. Unless otherwise ordered by the court, all amounts
22 collected shall first be applied toward payment of restitution, then toward
23 the payment of the docket fee.

24 Sec. 16. K.S.A. 2024 Supp. 59-104 is hereby amended to read as
25 follows: 59-104. (a) *Docket fee.* (1) Except as otherwise provided by law,
26 no case shall be filed or docketed in the district court under the provisions
27 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto,
28 or of articles 40 and 52 of chapter 65 of the Kansas Statutes Annotated,
29 and amendments thereto, without payment of an appropriate docket fee as
30 follows:

31 Treatment of mentally ill.....	\$34.50
32 Treatment of alcoholism or drug abuse.....	34.50
33 Determination of descent of property.....	49.50
34 Termination of life estate.....	48.50
35 Termination of joint tenancy.....	48.50
36 Refusal to grant letters of administration.....	48.50
37 Adoption.....	48.50
38 Filing a will and affidavit under K.S.A. 59-618a, and 39 amendments thereto.....	48.50
40 Guardianship.....	69.50
41 Conservatorship.....	69.50
42 Trusteeship.....	69.50
43 Combined guardianship and conservatorship.....	69.50

1 Certified probate proceedings under K.S.A. 59-213, and amendments
2 thereto..... 23.50
3 Decrees in probate from another state..... 173.00
4 Probate of an estate or of a will..... 109.50
5 Civil commitment under K.S.A. 59-29a01 et seq., and
6 amendments thereto..... 33.50

7 (2) Except as provided further, the docket fee established in this
8 section shall be the only fee collected or moneys in the nature of a fee
9 collected for the docket fee. Such fee shall only be established by an act of
10 the legislature and no other authority is established by law or otherwise to
11 collect a fee. On and after July 1, ~~2019~~ 2025, through June 30, ~~2025~~ 2030,
12 the supreme court may impose an additional charge, not to exceed \$22 per
13 docket fee, to fund the costs of non-judicial personnel.

14 (b) *Poverty affidavit in lieu of docket fee and exemptions.* The
15 provisions of K.S.A. 60-2001(b) and K.S.A. 60-2005, and amendments
16 thereto, shall apply to probate docket fees prescribed by this section.

17 (c) *Disposition of docket fee.* Statutory charges for the law library and
18 for the prosecuting attorneys' training fund shall be paid from the docket
19 fee. The remainder of the docket fee shall be paid to the state treasurer in
20 accordance with K.S.A. 20-362, and amendments thereto.

21 (d) *Additional court costs.* Other fees and expenses to be assessed as
22 additional court costs shall be approved by the court, unless specifically
23 fixed by statute. Other fees shall include, but not be limited to, witness
24 fees, appraiser fees, fees for service of process outside the state, fees for
25 depositions, transcripts and publication of legal notice, executor or
26 administrator fees, attorney fees, court costs from other courts and any
27 other fees and expenses required by statute. All additional court costs shall
28 be taxed and billed against the parties or estate as directed by the court. No
29 sheriff in this state shall charge any district court in this state a fee or
30 mileage for serving any paper or process.

31 Sec. 17. K.S.A. 2024 Supp. 60-729 is hereby amended to read as
32 follows: 60-729. (a) Garnishment is a procedure whereby the wages,
33 money or intangible property of a person can be seized or attached
34 pursuant to an order of garnishment issued by the court under the
35 conditions set forth in the order.

36 (b) Any party requesting an order of garnishment shall pay a fee in
37 the amount of \$7.50 to the clerk of the district court.

38 (c) A poverty affidavit may be filed in lieu of a fee as established in
39 K.S.A. 60-2001, and amendments thereto.

40 (d) The fee shall be the only costs assessed in each case for services
41 of the clerk of the district court and the sheriff. The fee shall be disbursed
42 in accordance with K.S.A. 20-362, and amendments thereto.

43 (e) Except as provided further, the fee established in this section shall

1 be the only fee collected or moneys in the nature of a fee collected for the
2 docket fee. Such fee shall only be established by an act of the legislature
3 and no other authority is established by law or otherwise to collect a fee.
4 On and after July 1, ~~2019~~ 2025, through June 30, ~~2025~~ 2030, the supreme
5 court may impose an additional charge, not to exceed \$12.50 per fee, to
6 fund the costs of non-judicial personnel.

7 (f) The state of Kansas and all municipalities in this state, as defined
8 in K.S.A. 12-105a, and amendments thereto, shall be exempt from paying
9 such fee.

10 Sec. 18. K.S.A. 2024 Supp. 60-2001 is hereby amended to read as
11 follows: 60-2001. (a) *Docket fee*. Except as otherwise provided by law, no
12 case shall be filed or docketed in the district court, whether original or
13 appealed, without payment of a docket fee in the amount of \$173 to the
14 clerk of the district court. Except as provided further, the docket fee
15 established in this subsection shall be the only fee collected or moneys in
16 the nature of a fee collected for the docket fee. Such fee shall only be
17 established by an act of the legislature and no other authority is established
18 by law or otherwise to collect a fee. On and after July 1, ~~2019~~ 2025,
19 through June 30, ~~2025~~ 2030, the supreme court may impose an additional
20 charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial
21 personnel.

22 (b) *Poverty affidavit in lieu of docket fee*. (1) *Effect*. In any case
23 where a plaintiff by reason of poverty is unable to pay a docket fee, and an
24 affidavit so stating is filed, no fee will be required. An inmate in the
25 custody of the secretary of corrections may file a poverty affidavit only if
26 the inmate attaches a statement disclosing the average account balance, or
27 the total deposits, whichever is less, in the inmate's trust fund for each
28 month in: (A) The six-month period preceding the filing of the action; or
29 (B) the current period of incarceration, whichever is shorter. Such
30 statement shall be certified by the secretary. On receipt of the affidavit and
31 attached statement, the court shall determine the initial fee to be assessed
32 for filing the action and in no event shall the court require an inmate to pay
33 less than \$3. The secretary of corrections is hereby authorized to disburse
34 money from the inmate's account to pay the costs as determined by the
35 court. If the inmate has a zero balance in such inmate's account, the
36 secretary shall debit such account in the amount of \$3 per filing fee as
37 established by the court until money is credited to the account to pay such
38 docket fee. Any initial filing fees assessed pursuant to this subsection shall
39 not prevent the court, pursuant to subsection (d), from taxing that
40 individual for the remainder of the amount required under subsection (a) or
41 this subsection.

42 (2) *Form of affidavit*. The affidavit provided for in this subsection
43 shall set forth a factual basis upon which the plaintiff alleges by reason of

1 poverty an inability to pay a docket fee, including, but not limited to, the
2 source and amount of the plaintiff's weekly income. Such affidavit shall be
3 signed and sworn to by the plaintiff under oath, before one who has
4 authority to administer the oath, under penalty of perjury, K.S.A. 21-5903,
5 and amendments thereto. The form of the affidavit shall be deemed
6 sufficient if in substantial compliance with the form set forth by the
7 judicial council.

8 (3) *Court review; grounds for dismissal; service of process.* The court
9 shall review any petition authorized for filing under this subsection. Upon
10 such review, if the court finds that the plaintiff's allegation of poverty is
11 untrue, the court shall direct the plaintiff to pay the docket fee or dismiss
12 the petition without prejudice. Notwithstanding K.S.A. 60-301, and
13 amendments thereto, service of process shall not issue unless the court
14 grants leave following its review.

15 (c) *Disposition of fees.* The docket fees and the fees for service of
16 process shall be the only costs assessed in each case for services of the
17 clerk of the district court and the sheriff. For every person to be served by
18 the sheriff, the persons requesting service of process shall provide proper
19 payment to the clerk and the clerk of the district court shall forward the
20 service of process fee to the sheriff in accordance with K.S.A. 28-110, and
21 amendments thereto. The service of process fee, if paid by check or money
22 order, shall be made payable to the sheriff. Such service of process fee
23 shall be submitted by the sheriff at least monthly to the county treasurer
24 for deposit in the county treasury and credited to the county general fund.
25 The docket fee shall be disbursed in accordance with K.S.A. 20-362, and
26 amendments thereto.

27 (d) *Additional court costs.* Other fees and expenses to be assessed as
28 additional court costs shall be approved by the court, unless specifically
29 fixed by statute. Other fees shall include, but not be limited to, witness
30 fees, appraiser fees, fees for service of process, fees for depositions,
31 alternative dispute resolution fees, transcripts and publication, attorney
32 fees, court costs from other courts and any other fees and expenses
33 required by statute. All additional court costs shall be taxed and billed
34 against the parties as directed by the court. No sheriff in this state shall
35 charge any mileage for serving any papers or process.

36 Sec. 19. K.S.A. 2024 Supp. 60-2203a is hereby amended to read as
37 follows: 60-2203a. (a) After the commencement of any action in any
38 district court of this state, or the courts of the United States in the state of
39 Kansas or in any action now pending heretofore commenced in such
40 courts, which does not involve title to real estate, any party to such action
41 may give notice in any other county of the state of the pendency of the
42 action by filing for record with the clerk of the district court of such other
43 county a verified statement setting forth the parties to the action, the nature

1 of the action, the court in which it is pending, and the relief sought, which
2 shall impart notice of the pendency of the action and shall result in the
3 same lien rights as if the action were pending in that county. The lien shall
4 be effective from the time the statement is filed, but not to exceed four
5 months prior to the entry of judgment except as provided in subsection ~~(e)~~
6 *(b)*. The party filing such notice shall within 30 days after any satisfaction
7 of the judgment entered in such action, or any other final disposition
8 thereof, cause to be filed with such clerk of the district court a notice that
9 all claims in such action are released. If the party filing fails or neglects to
10 do so after reasonable demand by any party in interest, such party shall be
11 liable in damages in the same amounts and manner as is provided by law
12 for failure of a mortgagee to enter satisfaction of a mortgage. Upon the
13 filing of such a notice of the pendency of an action the clerk shall charge a
14 fee of \$14 and shall enter and index the action in the same manner as for
15 the filing of an original action. Upon the filing of a notice of release, the
16 notice shall likewise be entered on the docket. Except as provided further,
17 the fee established in this subsection shall be the only fee collected or
18 moneys in the nature of a fee collected for the court procedure. Such fee
19 shall only be established by an act of the legislature and no other authority
20 is established by law or otherwise to collect a fee. On and after July 1,
21 ~~2019 2025~~, through June 30, ~~2025 2030~~, the supreme court may impose an
22 additional charge, not to exceed \$22 per fee, to fund the costs of non-
23 judicial personnel.

24 (b) Notwithstanding the foregoing provisions of this section, the
25 filing of a notice of the pendency of an action pursuant to subsection (a)
26 shall create no lien rights against the property of an employee of the state
27 or a municipality prior to the date judgment is rendered if the pleadings in
28 the pending action allege a negligent or wrongful act or omission of the
29 employee while acting within the scope of such employee's employment,
30 regardless of whether or not it is alleged in the alternative that the
31 employee was acting outside of such employee's employment. A judgment
32 against an employee shall become a lien upon such employee's property in
33 the county where notice is filed pursuant to subsection (a) when the
34 judgment is rendered only if it is found that: (1) The employee's negligent
35 or wrongful act or omission occurred when the employee was acting
36 outside the scope of such employee's employment; or (2) the employee's
37 conduct which gave rise to the judgment was because of actual fraud or
38 actual malice of the employee. In such cases the lien shall not be effective
39 prior to the date judgment was rendered. As used in this subsection ~~(e)~~,
40 "employee" shall have the meaning ascribed to such term in K.S.A. 75-
41 6102, and amendments thereto.

42 Sec. 20. K.S.A. 2024 Supp. 61-2704 is hereby amended to read as
43 follows: 61-2704. (a) An action seeking the recovery of a small claim shall

1 be considered to have been commenced at the time a person files a written
2 statement of the person's small claim with the clerk of the court if, within
3 90 days after the small claim is filed, service of process is obtained or the
4 first publication is made for service by publication. Otherwise, the action
5 is deemed commenced at the time of service of process or first publication.
6 An entry of appearance shall have the same effect as service.

7 (b) Upon the filing of a plaintiff's small claim, the clerk of the court
8 shall require from the plaintiff a docket fee of \$35 if the claim does not
9 exceed \$500; or \$55 if the claim exceeds \$500; unless for good cause
10 shown the judge waives the fee. The docket fee shall be the only costs
11 required in an action seeking recovery of a small claim. No person may
12 file more than 20 small claims under this act in the same court during any
13 calendar year.

14 (c) Except as provided further, the docket fee established in this
15 section shall be the only fee collected or moneys in the nature of a fee
16 collected for the docket fee. Such fee shall only be established by an act of
17 the legislature and no other authority is established by law or otherwise to
18 collect a fee. On and after July 1, ~~2019~~ 2025, through June 30, ~~2025~~ 2030,
19 the supreme court may impose an additional charge, not to exceed \$12.50
20 per docket fee, to fund the costs of non-judicial personnel.

21 Sec. 21. K.S.A. 2024 Supp. 61-4001 is hereby amended to read as
22 follows: 61-4001. (a) *Docket fee.* (1) No case shall be filed or docketed
23 pursuant to the code of civil procedure for limited actions without the
24 payment of a docket fee in the amount of \$35 if the amount in controversy
25 or claimed does not exceed \$500; \$55 if the amount in controversy or
26 claimed exceeds \$500 but does not exceed \$5,000; or \$101 if the amount
27 in controversy or claimed exceeds \$5,000. If judgment is rendered for the
28 plaintiff, the court also may enter judgment for the plaintiff for the amount
29 of the docket fee paid by the plaintiff.

30 (2) Except as provided further, the docket fee established in this
31 section shall be the only fee collected or moneys in the nature of a fee
32 collected for the docket fee. Such fee shall only be established by an act of
33 the legislature and no other authority is established by law or otherwise to
34 collect a fee. On and after July 1, ~~2019~~ 2025, through June 30, ~~2025~~ 2030,
35 the supreme court may impose an additional charge, not to exceed \$19 per
36 docket fee, to fund the costs of non-judicial personnel.

37 (b) *Poverty affidavit; additional court costs; exemptions for the state
38 and municipalities.* The provisions of K.S.A. 60-2001(b), (c) and (d) and
39 60-2005, and amendments thereto, shall be applicable to lawsuits brought
40 under the code of civil procedure for limited actions.

41 Sec. 22. K.S.A. 2024 Supp. 65-409 is hereby amended to read as
42 follows: 65-409. (a) The clerk of the district court shall charge a fee of \$14
43 for entering and filing a lien statement under this act.

1 (b) Except as provided further, the lien fee established in subsection
2 (a) shall be the only fee collected or moneys in the nature of a fee collected
3 for such lien. Such fee shall only be established by an act of the legislature
4 and no other authority is established by law or otherwise to collect a fee.
5 On and after July 1, ~~2019~~ 2025, through June 30, ~~2025~~ 2030, the supreme
6 court may impose an additional charge, not to exceed \$22 per lien fee, to
7 fund the costs of non-judicial personnel.

8 Sec. 23. K.S.A. 8-2107, 20-3021, 21-6614, 22-2410, 23-2510, 28-
9 170, 28-172a, 28-179, 38-2215, 38-2312 and 38-2314 and K.S.A. 2024
10 Supp. 8-2110, 28-177, 28-178, 32-1049a, 59-104, 60-729, 60-2001, 60-
11 2203a, 61-2704, 61-4001 and 65-409 are hereby repealed.

12 Sec. 24. This act shall take effect and be in force from and after its
13 publication in the statute book.