

2023 Kansas Statutes

60-729. Order of garnishment; fee; authorized only by legislative enactment. (a)

Garnishment is a procedure whereby the wages, money or intangible property of a person can be seized or attached pursuant to an order of garnishment issued by the court under the conditions set forth in the order.

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

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

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

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

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

History: L. 2002, ch. 198, § 2; L. 2014, ch. 82, § 35; L. 2015, ch. 81, § 23; L. 2017, ch. 80, § 18; L. 2019, ch. 58, § 19; July 1.

L. 2014, ch. 82, was held to be an invalid enactment, see *Solomon v. State*, 303 K. 512, 364 P.3d 536 (2015).