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SENATE WAYS AND MEANS COMMITTEE

Honorable Senator Ty Masterson, Chair

Testimony in Support of

SB 218

February 27, 2013

The Senate Ways and Means Committee reduced the Judicial Branch FY 2014 State General Fund budget request by $22 million. The committee recommended that legislation be introduced which would extend the surcharge and would remove the statutory transfers from docket fees to the funds listed in K.S.A. 20-367, as well as the Indigent's Defense Services Fund and the Judicial Branch Surcharge Fund. The revenue from docket fees and the surcharge, estimated at $22 million, would be deposited into a new fund, the Judicial Branch Docket Fee Fund. This action was intended to be revenue neutral, but would reduce Judicial Branch dependency on the State General Fund and would the keep revenue collected by the courts in the courts. SB 218 is the legislation proposed above.

In reviewing the bill, the Judicial Branch has a few comments.

Section 5 (e) intends to deposit the balance which remains from docket fees to the credit of the Judicial Branch Docket Fee Fund. However, the amended language does not specify that *the balance* remitted to the State Treasurer would be credited to the fund.

The Docket Fee Fund that is created in section 12 of the bill has the same restrictions as the Surcharge Fund. If the intent of this committee is to allow the Judicial Branch to use the revenue deposited into the fund to continue the programs that were previously funded by docket fees, such as the Judicial Branch Education Fund, the restrictions need to be removed and additional permissive language must be added to satisfy the requirements of the Office of General Services (formerly the Division of Accounts and Reports).

Thank you for the opportunity to testify.

Senate Ways and Means Committee
Date: 02-27-2013
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