

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on **Judiciary** recommends **SB 425** be amended on page 1, in line 18, by striking "cost" and inserting "costs"; in line 21, after the period by inserting "Such fee shall not exceed \$10 per document for filing and \$0.10 per page for access."; in line 22, after "charge" by inserting "to fund the costs of establishing, operating and maintaining electronic document filing, storage and management for the Kansas court system";

On page 4, in line 38, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 39, by striking "cost" and inserting "costs";

On page 7, in line 13, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 14, by striking "cost" and inserting "costs";

On page 12, in line 5, after "2012," by inserting "through June 30, 2013,"; also in line 5, by striking "cost" and inserting "costs";

On page 16, in line 34, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 35, by striking "cost" and inserting "costs";

On page 19, in line 17, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 18, by striking "cost" and inserting "costs";

On page 20, in line 35, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 36, by striking "cost" and inserting "costs";

On page 22, in line 36, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 37, by striking "cost" and inserting "costs"; in line 40, after "K.S.A." by inserting "2011 Supp.";

On page 23, in line 8, after "charge" by inserting "to fund the costs of non-judicial

personnel"; in line 11, after "28-179," by inserting "32-1049a,";

On page 24, in line 7, after the period by inserting "Such fee shall not exceed \$10 per document for filing and \$0.10 per page for access.";

On page 25, in line 2, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 3, by striking "cost" and inserting "costs"; following line 4, by inserting:

"Sec. 15. K.S.A. 2011 Supp. 32-1049a is hereby amended to read as follows: 32-1049a. (a) Failure to comply with a wildlife ~~and parks~~ , parks and tourism citation means failure to:

(1) Appear before any district court in response to a wildlife ~~and parks~~ , parks and tourism citation and pay in full any fine, court costs, assessments or fees imposed;

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

(3) otherwise comply with a wildlife ~~and parks~~ , parks and tourism citation as provided in K.S.A. 32-1049, and amendments thereto.

Failure to comply with a wildlife ~~and parks~~ , parks and tourism citation is a class C misdemeanor, regardless of the disposition of the charge for which such citation, complaint or charge was originally issued.

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

(c) In addition to penalties of law applicable under subsection (a) when a person fails to comply with a wildlife ~~and parks~~ , parks and tourism citation or sentence for a violation of wildlife ~~and parks~~ , parks and tourism laws or rules and regulations, the district court in which the person should have complied shall mail a notice to the person that if the person does not appear in the district court or

pay all fines, court costs, assessments or fees, and any penalties imposed within 30 days from the date of mailing, the Kansas department of wildlife ~~and parks~~ , parks and tourism shall be notified to forfeit or suspend any license, permit, stamp or other issue of the department. Upon receipt of a report of a failure to comply with a wildlife ~~and parks~~ , parks and tourism citation under this section, and amendments thereto, the department shall notify the violator and suspend or forfeit the license, permit, stamp or other issue of the department held by the violator until satisfactory evidence of compliance with the wildlife ~~and parks~~ , parks and tourism citation or sentence of the district court for violation of the wildlife ~~and parks~~ , parks and tourism laws or rules and regulations of this state are furnished to the informing court. Upon receipt of notification of such compliance from the informing court, the department shall terminate the suspension action, unless the violator is otherwise suspended.

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

(e) The district court shall waive the reinstatement fee provided for in subsection (d), if the failure to comply with a wildlife ~~and parks~~ , parks and tourism citation was the result of such person enlisting in or being drafted into the armed services of the United States of America, being called into service as a member of a reserve component of the military service of the United States of America, or

volunteering for such active duty or being called into service as a member of the Kansas national guard or volunteering for such active duty and being absent from Kansas because of such military service. The state treasurer and the director of accounts and reports shall prescribe procedures for all such reimbursement payments and shall create appropriate accounts, make appropriate accounting entries and issue such appropriate vouchers and warrants as may be required to make such reimbursement payments.

(f) Except as provided further, the reinstatement fee established in subsection (d) shall be the only fee collected or moneys in the nature of a fee collected for such reinstatement. 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, 2012, through June 30, 2013, the supreme court may impose an additional charge to fund the costs of establishing, operating and maintaining electronic document filing, storage and management for the Kansas court system."

Also on page 25, in line 15, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 16, by striking "cost" and inserting "costs";

On page 27, in line 23, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 24, by striking "cost" and inserting "costs";

On page 29, in line 35, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 36, by striking "cost" and inserting "costs";

On page 31, in line 33, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 34, by striking "cost" and inserting "costs";

On page 32, in line 23, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 24, by striking "cost" and inserting "costs";

On page 34, in line 39, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 40, by striking "cost" and inserting "costs";

On page 35, in line 29, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 30, by striking "cost" and inserting "costs";

On page 36, in line 37, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 38, by striking "cost" and inserting "costs";

On page 37, in line 21, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 22, by striking "cost" and inserting "costs"; in line 36, by striking "the" and inserting "through June 30, 2013, the supreme"; in line 37, by striking "cost" and inserting "costs"; in line 43, after "28-179," by inserting "32-149a,";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after "28-179," by inserting "32-1049a,"; and the bill be passed as amended.

Chairperson