

2018 Kansas Statutes

59-29a27. Post-commitment crime; responsibility for costs of care and custody, costs of prosecution; reimbursement. (a) (1) Whenever a person civilly committed pursuant to K.S.A. 59-29a07, and amendments thereto, is in the custody of a county law enforcement agency for a pending criminal proceeding, the costs incurred for the care and custody of such person by the county with custody of such person, including, but not limited to, reasonable costs of medical care and treatment, housing, food and transportation, shall be paid by such county.

(2) The secretary for aging and disability services shall reimburse such county from the Larned state hospital - SPTP new crimes reimbursement account of the state general fund for all costs that would have been paid from such account if such person had remained in the custody of the secretary for aging and disability services.

(b) (1) Whenever a person civilly committed pursuant to K.S.A. 59-29a07, and amendments thereto, commits a crime and is prosecuted for such crime, the costs incurred for such prosecution shall be paid by the county where such prosecution occurs.

(2) The secretary for aging and disability services shall reimburse such county from the Larned state hospital - SPTP new crimes reimbursement account of the state general fund for all reasonable costs incurred for such prosecution.

(c) If there are no moneys available in the Larned state hospital - SPTP new crimes reimbursement account of the state general fund to pay any reimbursements described in subsection (a) or (b), the county entitled to such reimbursement may file a claim against the state pursuant to article 9 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto.

(d) The secretary for aging and disability services shall develop and implement a procedure to provide the reimbursements described in subsections (a) and (b) on or before January 1, 2016.

(e) All expenditures pursuant to this section from the Larned state hospital - SPTP new crimes reimbursement account of the state general fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary for aging and disability services or the secretary's designee.

History: L. 2015, ch. 95, § 18; July 1.