HOUSE BILL No. 2469

AN ACT concerning crimes, criminal procedure and punishment; relating to payment of board of indigents' services fees; relating to parole revocation proceedings; amending K.S.A. 22-4529 and repealing the existing section.

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

Section 1.   K.S.A. 22-4529 is hereby amended to read as follows: 22-4529. Any defendant entitled to counsel pursuant to K.S.A. 22-4503, and amendments thereto, shall pay an application fee in the amount ~~of $50 for the period commencing on the effective date of this act and ending on June 30, 2004, and the amount~~ of $100 ~~on or after July 1, 2004,~~ to the clerk of the district court. *Any defendant entitled to counsel in a proceeding for a violation of a condition of release pursuant to K.S.A. 22-3716, and amendments thereto, shall pay an application fee of $100 to the clerk of the district court. Such fee shall be paid regardless of whether the defendant has paid application fees pursuant to this section in any other proceeding.* If it appears to the satisfaction of the court that payment of the application fee will impose manifest hardship on the defendant, the court may waive payment of all or part of the application fee. All moneys received pursuant to this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the indigents' defense services fund. If the defendant is acquitted or the case is dismissed, any application fee paid pursuant to this section shall be remitted to the defendant.

Sec. 2.   K.S.A. 22-4529 is hereby repealed.

Sec. 3.   This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and passed that body

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_____
                                        Speaker of the House.

_____
                                        Chief Clerk of the House.

Passed the SENATE _____

_____
                                        President of the Senate.

_____
                                        Secretary of the Senate.

APPROVED _____

_____
                                        Governor.