AN ACT concerning reinstatement fees; relating to the judicial branch nonjudicial salary adjustment fund; amending K.S.A. 2012 Supp. 8-241, as amended by section 1 of 2013 House Bill No. 2303 and 20-1a15, as amended by section 2 of 2013 House Bill No. 2303 and repealing the existing sections.

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

Section 1. K.S.A. 2012 Supp. 8-241, as amended by section 1 of 2013 House Bill No. 2303, is hereby amended to read as follows: 8-241. (a) Except as provided in K.S.A. 8-2,125 through 8-2,142, and amendments thereto, any person licensed to operate a motor vehicle in this state shall submit to an examination whenever: (1) The division of vehicles has good cause to believe that such person is incompetent or otherwise not qualified to be licensed; or (2) the division of vehicles has suspended such person's license pursuant to K.S.A. 8-1014, and amendments thereto, as the result of a test refusal, test failure or conviction for a violation of K.S.A. 8-1567, and amendments thereto, or a violation of a city ordinance or county resolution prohibiting the acts prohibited by K.S.A. 8-1567, and amendments thereto, except that no person shall have to submit to and successfully complete an examination more than once as the result of separate suspensions arising out of the same occurrence.

(b) When a person is required to submit to an examination pursuant to subsection (a)(1), the fee for such examination shall be in the amount provided by K.S.A. 8-240, and amendments thereto. When a person is required to submit to an examination pursuant to subsection (a)(2), the fee for such examination shall be $25. In addition, any person required to submit to an examination pursuant to subsection (a)(2): (1) As the result of a test failure, a conviction for a violation of K.S.A. 8-1567, and amendments thereto, or a violation of a city ordinance or county resolution prohibiting the acts prohibited by K.S.A. 8-1567, and amendments thereto, shall be required, at the time of examination, to pay a reinstatement fee of $200 after the first occurrence, $400 after the second occurrence, $600 after the third occurrence and $800 after the fourth or subsequent occurrence; and (2) as a result of a test refusal, a conviction for a violation of K.S.A. 2012 Supp. 8-1025, and amendments thereto, or a violation of a city ordinance or county resolution prohibiting the acts prohibited by
K.S.A. 2012 Supp. 8-1025, and amendments thereto, shall be required, at
the time of examination, to pay a reinstatement fee of $600 after the first
occurrence, $900 after the second occurrence, $1,200 after the third
occurrence and $1,500 after the fourth or subsequent occurrence.

(1) All examination fees collected 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, who shall deposit the entire amount in
the state treasury and credit 80% to the state highway fund and 20% shall
be disposed of as provided in K.S.A. 8-267, and amendments thereto.

(2) On and after July 1, 2014, through June 30, 2018, all
reinstatement fees collected 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, who shall deposit the entire amount in the state
treasury and credit 26% to the community alcoholism and intoxication
programs fund created pursuant to K.S.A. 41-1126, and amendments
thereto, 12% to the juvenile detention facilities fund created by K.S.A. 79-
4803, and amendments thereto, 12% to the forensic laboratory and
materials fee fund created by K.S.A. 28-176, and amendments thereto,
17% to the driving under the influence fund created by K.S.A. 75-5660,
and amendments thereto, and 33% to the judicial branch nonjudicial salary
adjustment fund created by K.S.A. 20-1a15, and amendments thereto.
Moneys credited to the forensic laboratory and materials fee fund as
provided herein shall be used to supplement existing appropriations and
shall not be used to supplant general fund appropriations to the Kansas
bureau of investigation.

(3) On and after July 1, 2017, all reinstatement fees collected
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, who shall deposit the entire amount in the state treasury and credit
35% to the community alcoholism and intoxication programs fund created
pursuant to K.S.A. 41-1126, and amendments thereto, 20% to the juvenile
detention facilities fund created by K.S.A. 79-4803, and amendments
thereto, 20% to the forensic laboratory and materials fee fund created by
K.S.A. 28-176, and amendments thereto, and 25% to the driving under the
influence fund created by K.S.A. 75-5660, and amendments thereto.
Moneys credited to the forensic laboratory and materials fee fund as
provided herein shall be used to supplement existing appropriations and
shall not be used to supplant general fund appropriations to the Kansas
bureau of investigation.

(c) When an examination is required pursuant to subsection (a), at
least five days' written notice of the examination shall be given to the
licensee. The examination administered hereunder shall be at least
equivalent to the examination required by subsection (e) of K.S.A. 8-247,
and amendments thereto, with such additional tests as the division deems
necessary. Upon the conclusion of such examination, the division shall
take action as may be appropriate and may suspend or revoke the license
of such person or permit the licensee to retain such license, or may issue a
license subject to restrictions as permitted under K.S.A. 8-245, and
amendments thereto.
(d) Refusal or neglect of the licensee to submit to an examination as
required by this section shall be grounds for suspension or revocation of
the license.

Sec. 2. K.S.A. 2012 Supp. 20-1a15, as amended by section 2 of 2013
House Bill No. 2303, is hereby amended to read as follows: 20-1a15. (a)
There is hereby established in the state treasury the judicial branch
nonjudicial salary adjustment fund.
(b) All moneys credited to the judicial branch nonjudicial salary
adjustment fund shall be used for compensation of nonjudicial officers and
employees of the district courts, court of appeals and the supreme court
and shall not be expended for compensation of judges or justices of the
judicial branch. Moneys in the fund shall be used only to pay for that
portion of the cost of salaries and wages of nonjudicial personnel of the
judicial branch, including associated employer contributions, which shall
not exceed the difference between the amount of expenditures that would
be required under the judicial branch pay plan for nonjudicial personnel in
effect prior to the effective date of this act and the amount of expenditures
required under the judicial branch pay plan for nonjudicial personnel after
the cost-of-living adjustments and the adjustments for upgrades in pay
rates for nonjudicial personnel approved by the chief justice of the Kansas
supreme court for fiscal year 2009-2015. For fiscal years commencing on
and after June 30, 2010, moneys in such fund shall be used only for
the amount attributable to maintenance of the judicial branch pay plan for
nonjudicial personnel for such adjustments and upgrades approved by the
chief justice of the supreme court for fiscal year 2009-2015.
(c) On or before the 10th day of each month, the director of accounts
and reports shall transfer from the state general fund to the judicial branch
nonjudicial salary adjustment fund interest earnings based on:
(1) The average daily balance of moneys in the judicial branch
nonjudicial salary adjustment fund for the preceding month; and
(2) the net earnings rate of the pooled money investment portfolio for
the preceding month.
(d) All expenditures from the judicial branch nonjudicial salary
adjustment fund shall be made in accordance with appropriation acts and
upon warrants of the director of accounts and reports issued pursuant to
payrolls approved by the chief justice of the Kansas supreme court or by a
person or persons designated by the chief justice.
Sec. 3. K.S.A. 2012 Supp. 8-241, as amended by section 1 of 2013 House Bill No. 2303 and 20-1a15, as amended by section 2 of 2013 House Bill No. 2303 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.