

HOUSE BILL No. 2772

AN ACT concerning court costs; relating to a laboratory analysis fee; amending K.S.A. 28-176 and repealing the existing section.

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

Section 1. K.S.A. 28-176 is hereby amended to read as follows: 28-176. (a) Any person convicted or diverted, or adjudicated or diverted under a preadjudication program, pursuant to K.S.A. 22-2906 *et seq.*, 38-1635 *et seq.*, or 12-4414 *et seq.*, and amendments thereto, of a misdemeanor or felony contained in chapters 21, 41 or 65 of the Kansas Statutes Annotated, or a violation of K.S.A. 8-1567 and amendments thereto, shall pay a separate court cost of: (1) ~~\$150~~ \$400 as a Kansas bureau of investigation laboratory analysis fee for each offense if forensic science or laboratory services are rendered or administered by the Kansas bureau of investigation in connection with the case; and (2) \$400 for each offense if forensic science or laboratory services are rendered or administered by the Sedgwick county regional forensic science center or the Johnson county sheriff's laboratory.

(b) Such ~~fee fees~~ shall be in addition to and not in substitution for any and all fines and penalties otherwise provided for by law for such offense.

(c) Disbursements from the Kansas bureau of investigation laboratory analysis fee deposited into the forensic laboratory and materials fee fund of the Kansas bureau of investigation shall be made for the following:

- (1) Providing criminalistic laboratory services;
- (2) the purchase and maintenance of equipment for use by the laboratory in performing analysis;
- (3) education, training and scientific development of Kansas bureau of investigation personnel; and
- (4) the destruction of seized property and chemicals as prescribed in K.S.A. 22-2512 and ~~K.S.A. 65-4135~~ 60-4117, and amendments thereto.

(d) Fees received into this fund shall be supplemental to regular appropriations to the Kansas bureau of investigation.

(e) *The fee for services rendered or administered by the Sedgwick county regional forensic science center shall be deposited in the Sedgwick county general fund and the fee for services rendered or administered by the Johnson county sheriff's laboratory shall be deposited in the Johnson county general fund and disbursed for the following:*

- (1) *Providing criminalistic laboratory services;*
- (2) *the purchase and maintenance of equipment for use by the center or laboratory in performing analysis; and*
- (3) *education, training and scientific development of the center's or laboratory's personnel.*

Sec. 2. K.S.A. 28-176 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

HOUSE concurred in
SENATE amendments _____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.