

RESOLUTION 1999-05

A RESOLUTION ADOPTED BY THE BOARD OF BARTON COUNTY COMMISSIONERS TO ESTABLISH A FEE, WHICH SHALL BE COLLECTED AS A COURT COST, FOR THE BOOKING OR PROCESSING OF PERSONS CONVICTED, DIVERTED OR ADJUDICATED OF CERTAIN KANSAS STATUTES

WHEREAS, Kansas Statutes mandate that the Sheriff of each Kansas County provide for the detention of persons arrested for the violation of laws within that County; and

WHEREAS, the Barton County Sheriff's Office provides for the detention of prisoners for the County and all its Cities, as well as for jurisdictions throughout Kansas, in the Barton County Detention Facility; and

WHEREAS, the Barton County Detention Facility is primarily supported by taxpayers through Barton County tax dollars; and

WHEREAS, the Board of County Commissioners of Barton County, Kansas, believes that additional supporting funds should be required of persons convicted, diverted or adjudicated of certain Kansas Statutes through a booking fee; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Barton County, Kansas, that, by authority of House Bill No. 2233, an Act concerning courts; relating to criminal procedure, costs thereof; disposition of docket fees, law enforcement training center fund; amending KSA 20-362 and KSA 1997 Supp. 12-4112 and 28-172a and repealing the existing sections; also repealing KSA 1997 Supp 28-172d, a fee is hereby set for 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 any amendments thereto, of a misdemeanor or felony contained in Chapters 8, 21, 41 or 65 of the Kansas Statutes Annotated, and any amendments thereto, where fingerprints are required pursuant to K.S.A. 21-2501, and any amendments thereto, for a separate court cost for the booking or processing for each complaint; and

FURTHER, that the Clerk of the District Court and the Clerk of each Municipal Court within Barton County, Kansas, shall remit at least monthly all revenues received from the above-described court costs to the County Treasurer, for deposit in the County treasury and credit to the County General Fund; and

FURTHER, such fee shall be in addition to and not in substitution for any and all fines and penalties otherwise provided for by law for such offenses; and

FURTHER, such fee, which shall not exceed Forty Five Dollars (\$45.00) for each complaint where fingerprints are required under this Resolution, is set at Fifteen Dollars (\$15.00) for each complaint; and

FURTHER, that after conviction, diversion or adjudication of crimes described within this Resolution, all courts located in Barton County will have all statutory authority to oversee and implement the imposition and collection of fines; and

FURTHER, that the Courts will have all statutory authority to impose any penalties prescribed by law for the willful failure to pay such fines as described; and

FURTHER, should any Court declare any section, clause or provision of this Resolution to be unconstitutional, such decision shall affect only such section, clause or provision so declared unconstitutional and shall not effect any other remaining section, clause or provision of this Resolution; and

FURTHER, that this Resolution shall be in effect on January 25, 1999, after adoption and publication in the official County newspaper.

ADOPTED this 18th day of January, 1999.

BOARD OF COUNTY COMMISSIONERS

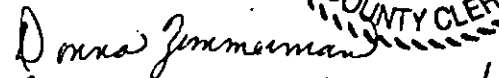
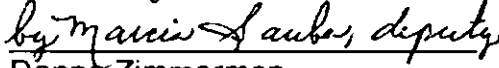

Jofene Brauer, Chairman


Pat Keenan, Commissioner

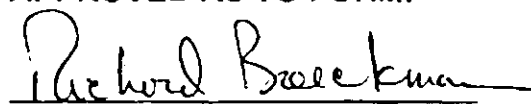

Patty Linsner, Commissioner



ATTEST:


by  deputy
Donna Zimmerman,
County Clerk

APPROVED AS TO FORM:


Richard A. Boeckman,
County Counselor