

RESOLUTION NO. 7 - 2011

A RESOLUTION PROVIDING FOR THE COLLECTION AND DISBURSEMENT OF A BOOKING AND PROCESSING FEE AS COURT COSTS

WHEREAS, K.S.A. 12-16,119 provides that Boards of County Commissioners are authorized to provide for a booking and processing fee not to exceed \$45.00 to be collected as separate court costs from any person convicted, adjudicated, or diverted under a pre-adjudication program pursuant to K.S.A. 22-2906 et seq., K.S.A. 38-1635 et seq., or K.S.A. 12-4414 et seq., and amendments thereto, of a misdemeanor or felony contained in Chapters 8, 21, 41, or 65 of the Kansas Statutes Annotated, and amendments thereto, where fingerprints are required pursuant to K.S.A. 21-2501, and amendments thereto;

WHEREAS, the Board of County Commissioners of Cherokee County, Kansas, is the governing body responsible for the funding of the Cherokee County Sheriff's Office that performs the booking and processing procedures in Cherokee County, Kansas.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHEROKEE COUNTY, KANSAS, that: a booking and processing fee of \$45.00 shall be collected as court costs from any person convicted, adjudicated, or diverted under pre-adjudication program pursuant to K.S.A. 22-2906 et seq., K.S.A. 38-1635 et seq., or K.S.A. 12-4414 et seq., and amendments thereto, of a misdemeanor or felony contained in Chapters 8, 21, 41, or 65 of the Kansas Statutes Annotated, and amendments thereto, where fingerprints are required pursuant to K.S.A. 21-2501, and amendments thereto. Such fees shall be disbursed by the Court to the general fund of Cherokee County.

Section 1. Booking and Processing Fee to be Assessed Against Inmates.

A booking and processing fee of \$45.00 shall be collected as court costs from any person convicted, adjudicated, or diverted under pre-adjudication program pursuant to K.S.A. 22-2906 et seq., K.S.A. 38-1635 et seq., or K.S.A. 12-4414 et seq., and amendments thereto, of a misdemeanor or felony contained in Chapters 8, 21, 41, or 65 of the Kansas Statutes Annotated, and amendments thereto, where fingerprints are required pursuant to K.S.A. 21-2501, and amendments thereto. Such fees shall be disbursed by the Court to the general fund of Cherokee County.

Section 2. Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this

resolution, or the application thereof to any circumstances, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this resolution.

Section 3. Repeal.

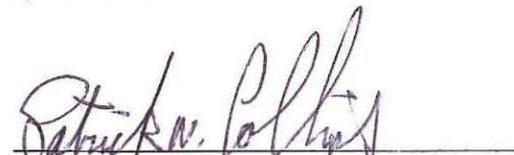
The provisions of any previously enacted resolution that are inconsistent herewith are repealed.

Section 4. Effective Date.

This resolution shall take effect and be in full force from and after its passage and publication once in the official County newspaper.

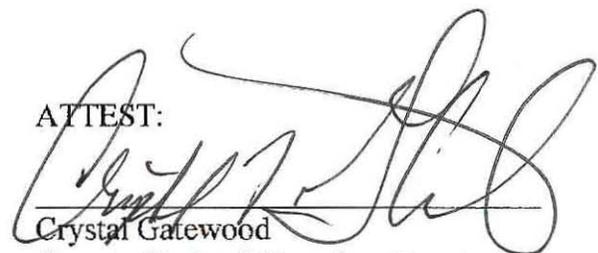
Adopted this 3rd day of January, 2011, by the BOARD OF COMMISSIONERS OF CHEROKEE COUNTY, KANSAS.


Richard J. Hilderbrand, Chairman
County Commissioner


Patrick W. Collins
County Commissioner


Jack G. Garner
County Commissioner

ATTEST:


Crystal Gatewood
County Clerk of Cherokee County, Kansas
Resolution 1 - 2011