

## **Criminal Restitution—Enforcement, Collection; Wage Garnishment; HB 2608**

**HB 2608** amends and repeals law related to enforcement and collection of criminal restitution, wage garnishment, and dormant judgments.

The bill amends a statute governing collection of restitution to provide that Kansas judicial districts are authorized to utilize the collection services of contracting agents for the purpose of collecting restitution owed under an order of restitution.

The bill amends the statute in the Kansas Criminal Code governing authorized dispositions when a person has been found guilty of a crime to remove language allowing collection of restitution as on a civil case judgment and to add language clarifying the applicable garnishment procedure. The bill also removes language in this section referencing procedures and statutes repealed by the bill.

The bill amends a statute in the Kansas Code of Criminal Procedure governing judgment and sentence to replace a reference to restitution enforcement statutes repealed by the bill with a reference to the statute governing collection of restitution.

The bill amends the definition of “earnings” for purposes of wage garnishment provisions to remove the phrase “paid or” from “compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonus, or otherwise.”

The bill amends a section in the Kansas Code of Civil Procedure governing when a judgment becomes dormant to provide that undisputed payments made prior to a request for a release of judgment are voluntary and not subject to refund or recoupment.

The bill repeals an article in the Kansas Code of Civil Procedure governing enforcement of judgment of restitution.