

**HOUSE BILL No. 2073**

By Committee on Corrections and Juvenile Justice

1-18

Proposed Amendments to HB 2073 - petition for discharge  
House Corrections and Juvenile Justice Committee  
Prepared by the Office of Revisor of Statutes  
January 31, 2023

1 AN ACT concerning children and minors; relating to juvenile offenders;  
2 the revised Kansas juvenile justice code; ~~prohibiting fines, fees and~~  
3 ~~costs from being assessed against a juvenile or a juvenile's parent,~~  
4 ~~guardian or custodian; amending K.S.A. 12-16,119, 20-3129, 28-170,~~  
5 ~~28-170a, 28-176, 38-2306, 38-2312, 38-2315, 38-2317, 38-2328, 38-~~  
6 ~~2331, 38-2346, 38-2348, 38-2360, 38-2361, 38-2362, 38-2369, 38-~~  
7 ~~2373, 38-2384, 38-2389, 38-2396, 38-2399 and 75-724 and K.S.A.~~  
8 ~~2022 Supp. 21-6609, 22-4905 and 28-177 and repealing the existing~~  
9 ~~sections; also repealing K.S.A. 38-2314, 38-2319, 38-2321 and 38-~~  
10 ~~2324 and K.S.A. 2022 Supp. 20-167.~~

11  
12 *Be it enacted by the Legislature of the State of Kansas:*  
13 New Section 1. ~~(a) In any action pursuant to the revised Kansas~~  
14 ~~juvenile justice code, no fines, fees, costs, court expenses, reimbursements~~  
15 ~~or other financial obligations shall be ordered, assessed or sought against a~~  
16 ~~juvenile or a juvenile's parent, guardian or custodian.~~  
17 ~~(b) On and after July 1, 2023:~~  
18 ~~(1) Any outstanding court ordered fines, fees, costs, court expenses,~~  
19 ~~reimbursements or other financial obligations owed by a juvenile or a~~  
20 ~~juvenile's parent, guardian or custodian that were assessed during the~~  
21 ~~course of an action pursuant to the revised Kansas juvenile justice code~~  
22 ~~shall be discharged and shall not be collected.~~  
23 ~~(2) Any juvenile who is participating in an immediate intervention~~  
24 ~~program, on probation, in a juvenile detention facility or juvenile~~  
25 ~~correctional facility or is otherwise being supervised solely because the~~  
26 ~~juvenile has outstanding fines, fees, costs, court expenses, reimbursements~~  
27 ~~or other financial obligations shall be immediately discharged.~~  
28 ~~(3) A juvenile, parent or guardian who is currently incarcerated in a~~  
29 ~~correctional facility, jail, juvenile correctional facility or juvenile detention~~  
30 ~~facility solely because of nonpayment of any fine, fee, cost, court expense,~~  
31 ~~reimbursement or other financial obligation imposed in an action pursuant~~  
32 ~~to the revised Kansas juvenile justice code shall be released from~~  
33 ~~custody.~~  
34 ~~(c) The provisions of this section shall not apply to restitution that is~~  
35 ~~owed by a juvenile.~~  
36 ~~(d) This section shall be a part of and supplemental to the revised~~

Remove all substantive contents of the bill and replace with:

Section 1. (a) In any action pursuant to the revised Kansas juvenile justice code, a juvenile or a juvenile's parent, guardian or custodian may petition the court to modify any order that imposes a fine, fee, cost, court expense, reimbursement or other financial obligation on the juvenile or the juvenile's parent, guardian or custodian. If the juvenile or the juvenile's parent, guardian or custodian shows good cause, the court may reduce or discharge any financial obligation owed by the juvenile or the juvenile's parent, guardian or custodian.

(b) An order issued pursuant to subsection (a) after the juvenile is adjudicated or sentenced shall not increase any financial obligation owed by the juvenile or the juvenile's parent, guardian or custodian.

(c) The provisions of this section shall not apply to restitution that is owed by a juvenile unless the beneficiary under the order of restitution agrees to the order reducing or discharging the restitution.

(d) This section shall be a part of and supplemental to the revised Kansas juvenile justice code.

1 ~~38-2328, 38-2331, 38-2346, 38-2348, 38-2360, 38-2361, 38-2362, 38-~~  
2 ~~2369, 38-2373, 38-2384, 38-2389, 38-2396, 38-2399 and 75-724 and~~  
3 ~~K.S.A. 2022 Supp. 20-167, 21-6609, 22-4905 and 28-177 are hereby~~  
4 ~~repealed.~~

5 ~~Sec. 29.~~ This act shall take effect and be in force from and after its  
6 publication in the statute book.

Sec. 2.