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MEMORANDUM

To: Special Committee on Foster Care Oversight

From: Office of Revisor of Statutes

Date: October 21, 2020

Subject: Bill Brief on 2020 HB 2744

HB 2744 makes changes throughout the code for care of children and the juvenile justice code as they relate to crossover youth.

New section 1 requires the secretary of corrections and the secretary for children and families to enter into a memorandum of understanding to coordinate administering a risk and needs assessment to children who have been identified as exhibiting behavior that could lead to offending behavior during the course of a child in need of care proceeding. Children identified as exhibiting such behavior would be allowed to participate in evidence-based community programs offered by the department of corrections.

Sections 2 and 3 amend K.S.A. 38-2203 and K.S.A. 38-2304, sections in both the code for care of children and the juvenile justice code, to require the department for children and families, the department of corrections and the judicial branch to collaborate to provide services to children who are eligible for services from multiple agencies.

Section 4 amends K.S.A. 38-2391 to provide that a court may extend a juvenile offender's overall case length limit to allow for completion of an evidence-based program while the juvenile offender is on probation when failure to complete the program is due to a delay by the juvenile.

Section 5 amends K.S.A. 75-52,162 to require the department of corrections to develop a system to facilitate the exchanging of confidential data between all parts of the juvenile justice system by July 1, 2022. The department would have to report to various legislative committees on progress before the first day of the 2021 regular session of the legislature.

Section 6 amends K.S.A. 75-52,164 to expand the authorized uses of money from the evidence-based programs account of the state general fund to include children who have been

administered a risk and needs assessment and who have been identified as needing services pursuant to section 1. It also requires the secretary of corrections to develop a grant program to implement evidence-based community programs throughout the state. Any provider of evidence-based community programs for juveniles may apply for a grant. The grant program shall give priority to any county that demonstrates a low availability of evidence-based programs for juveniles. The secretary shall evaluate the programs that receive a grant to ensure the program is being delivered correctly. This section is also amended to require expenditures from the evidence-based programs account to be made promptly and on a rolling basis to develop and implement evidence-based community programs throughout the state.