

SESSION OF 2020

SUPPLEMENTAL NOTE ON SENATE BILL NO. 332

As Recommended by Senate Committee on
Judiciary

Brief*

SB 332 would amend law in the Revised Code for Care of Children governing the entry of a court order directing a child who is the subject of a child in need of care proceeding to remain in a present or future placement if certain conditions are met. The bill would make such order mandatory rather than permissive, and would remove the condition that the child is not likely to be available within the jurisdiction of the court for future proceedings. The bill also would amend the definition of “child in need of care” (CINC) to remove from that definition the requirement that such child be willfully and voluntarily absent from a court-ordered or designated placement at least a second time, making a single voluntary absence sufficient for a child to qualify as a child in need of care.

Background

The bill was introduced by the Senate Committee on Judiciary at the request of Senator Longbine. In the Senate Committee hearing, a representative of the Geary County Secure Care Center testified in support of the bill, stating a desire to amend the law in light of the changes made by 2016 SB 367 to address the issue of runaway CINC youth pending placement.

A representative of the Department for Children and Families (DCF) provided written-only testimony opposing the

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

bill, stating the need for the court to retain discretion over matters related to child placement.

According to the fiscal note prepared by the Division of the Budget on the bill, DCF indicates enactment of the bill would have no fiscal effect on the agency, unless additional placements are needed; that cost would be \$235 per bed per day. The Office of Judicial Administration indicates enactment of the bill would have a negligible fiscal effect on expenditures. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2021 Governor's Budget Report*.