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MEMORANDUM

To: House Committee on Corrections and Juvenile Justice

From: Office of Revisor of Statutes

Date: January 27, 2022

Subject: Bill Brief on HB 2200

HB 2200 allows evidence-based program account money to be used on more juveniles, requires the department of corrections to build data systems and allows the juvenile overall case length limit to be extended for certain juvenile offender.

Section 1 enacts a new section to require that the secretary of corrections and the secretary for children and families 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 offender behavior during the course of a child in need of care proceeding. Such memorandum of understanding shall include procedures for allowing identified children to participate in evidence-based community programs offered by the department of corrections. A copy of the memorandum of understanding would be required to be provided to the joint committee on corrections and juvenile justice oversight, the senate standing committee on judiciary and this committee.

Section 2 amends K.S.A. 38-2203, which is the jurisdiction statute in the revised Kansas code for the care of children. This statute is amended to provide that if a child is eligible to receive services from the department for children and families, the department of corrections or the judicial branch, those agencies shall collaborate to provide such services. Nothing in the subsection precludes the child from accessing services provided by the Kansas department for children and families, the department of corrections, the judicial branch or any other state agency if the child is otherwise eligible for services.

Section 3 amends K.S.A. 38-2304, which is the jurisdiction statute in the revised Kansas juvenile justice code, to remove a provision requiring the secretary for children and families to collaborate with the department of corrections to furnish services ordered in a child in need of

care proceeding during the time the child is in a placement ordered under the juvenile justice code to replace it with an identical provision added to the child in need of care code in section 2.

Section 4 amends K.S.A. 38-2391, which is the statute that provides for overall case length and probation length limits for juvenile offenders. The statute is amended to provide that the court may extend the overall case length limit to allow for completion of an evidence-based program when failure to complete the program is due to delay by the juvenile.

Section 5 amends K.S.A. 75-52,162, which is the statute that requires the department of corrections and the Kansas juvenile justice oversight committee to explore methods of exchanging confidential data between all parts of the juvenile justice system. The statute is amended to require the department of corrections, prior to July 1, 2023, to develop a system to facilitate the exchanging of confidential data. The department would be required to report to the joint committee on corrections and juvenile justice oversight, the house appropriations committee, the senate judiciary committee, the senate ways and means committee and this committee on the progress of development.

Section 6 amends K.S.A. 75-52,164, which is the statute that creates the evidence-based programs account of the state general fund. Current law allows expenditures from the fund for the development and implementation of evidence-based community programs and practices for juvenile offenders, juveniles experiencing mental health crisis and their families. This bill would expand that to include children who have been administered a risk and needs assessment and have been identified as needing services pursuant to section 1 and grants. These programs are currently able to be administered by community supervision offices, including but not limited to, juvenile intake and assessment, court services, community corrections and juvenile crisis intervention centers. This bill would expand that list to include community mental health centers and any other community-based service provider offering evidence-based community programs.

Subsection (e) would require the secretary of corrections to develop and implement a grant program with the goal of implementing evidence-based community programs throughout the state. The secretary shall adopt grant requirements. Any provider of evidence-based community programs for juveniles may apply for the grant. The grant program shall give priority to any county that demonstrates a low availability of evidence-based community programs for juveniles. The secretary shall evaluate the programs that received a grant to ensure the program is being delivered as such program was designed. Subsection (f) requires expenditures from the account to be made promptly and on a rolling basis to develop and implement evidence-based community programs as services are needed throughout the state.