

January 29, 2018

The Honorable Blaine Finch, Chairperson
House Committee on Judiciary
Statehouse, Room 519-N
Topeka, Kansas 66612

Dear Representative Finch:

SUBJECT: Fiscal Note for HB 2481 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2481 is respectfully submitted to your committee.

HB 2481 would amend the Kansas Adoption and Relinquishment Act. Among the changes, the bill would clarify the definition of “residence of a child” to mean the “residence of any parent,” add a definition for “party of interest” and “professional” and change “husband and wife” to “married couple.”

The bill would make several changes to the relinquishment process, including detailing the relinquishment process for fathers, specifying that relinquishment is final when executed unless there is clear and convincing evidence that the relinquishment was not freely and voluntarily given. The bill would restore parental rights that were previously relinquished any time the other parent does not relinquish as well, provided there was no other court order eliminating those rights. In addition, the bill would make various changes to the adoption process when relinquishment or consent to an adoption has not been obtained from a parent, place jurisdiction under the Uniform Child Custody Jurisdiction and Enforcement Act for proceedings taking place pursuant to the Kansas Adoption and Relinquishment Act and specify final adoption decrees as a termination of previously held parental rights.

Changes made to the adoption of adults by the bill include allowing adoption records to be available to adult adoptees, disciplinary administrators, commissions on judicial qualifications and any interested party under special circumstances, within specified processes. The bill would also make other general process changes relating to adult adoptions.

Other various changes made by the bill would include specifying that the venue of an adoption could be in any Kansas county if all parties of interest agree in writing and clarifying that

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a professional providing services related to placement of children for adoption who fails to comply with provisions of the interstate compact would be guilty of a class C nonperson misdemeanor. The bill would no longer limit the meaning of reasonable fees for payment of adoption services to reasonable fees in Kansas or based on expenses only in Kansas. Those who advertise adoption related services would be required to note whether they are licensed or not in those advertisements. Finally, the bill would make changes to when certain forms and notice of hearings are required to be submitted and disclosed.

The Office of Judicial Administration and the Department for Children and Families both estimate that enactment of HB 2481 would not have any fiscal effect on operations.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a horizontal line extending to the right.

Shawn Sullivan,
Director of the Budget

cc: Jackie Aubert, Children & Families
Ashley Michaelis, Judiciary