

SESSION OF 2021

SUPPLEMENTAL NOTE ON SENATE BILL NO. 120

As Amended by House Committee on Children
and Seniors

Brief*

SB 120, as amended, would establish the Joint Committee on Child Welfare System Oversight (Joint Committee). The bill would outline the topics for Joint Committee review, provide for the appointment and compensation of Joint Committee members, establish the frequency of meetings, require an annual report to designated House and Senate leadership positions and certain standing committees, allow for professional services, and authorize the Joint Committee to make recommendations and introduce legislation.

Topics for Review by Joint Committee

The Joint Committee would be required to review the following:

- The level of oversight and supervision by the Kansas Department for Children and Families (DCF) over each entity that contracts with DCF to provide reintegration, foster care, and adoption services;
- Duties, responsibilities, and contributions of state agencies, nongovernmental entities, and service providers that provide child welfare services in Kansas;

*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>

- Level of access to child welfare services, including, but not limited to, health and mental health services and community-based services in Kansas;
- Number of children in the child welfare system and the factors that contribute to such number;
- Licensing standards for case managers working in the child welfare system; and
- Any other topic to the Joint Committee deems necessary or appropriate.

Joint Committee

Membership

The bill would provide for the appointment of 13 members to the Joint Committee as follows:

- Two members of the House Committee on Children and Seniors by the Speaker of the House of Representatives;
- One member of the House Committee on Children and Seniors by the Minority Leader of the House of Representatives;
- Two members of the Senate Committee on Public Health and Welfare by the President of the Senate;
- One member of the Senate Committee on Public Health and Welfare by the Minority Leader of the Senate;
- Two members of the House of Representatives by the Speaker of the House of Representatives;

- One member of the House of Representatives by the Minority Leader of the House of Representatives;
- Two members of the Senate by the President of the Senate;
- One member of the Senate by the Minority Leader of the Senate; and
- One member of the House of Representatives by the Majority Leader of the House of Representatives.

Terms of Membership

The bill would require members be appointed for terms coinciding with the legislative terms for which such members were elected or appointed. Appointments to fill vacancies or to succeed members appointed to the Joint Committee would occur in the same manner as the original appointment of the member succeeded.

Appointment of Chairperson, Vice-chairperson, and Ranking Minority Member

The Speaker of the House of Representatives would be required to appoint the first chairperson from among the members of the Joint Committee appointed by the Speaker of the House of Representatives. The chairperson and vice-chairperson would be required to alternate annually between the members appointed by the Speaker of the House of Representatives and the President of the Senate. When appointing a chairperson or vice-chairperson as provided in the bill, the Speaker of the House of Representatives and the President of the Senate would be required to appoint a member from their respective chambers.

The bill would require the ranking minority member of the Joint Committee be from the same chamber as the chairperson. When appointing a ranking minority member as provided in the bill, the Minority Leader of the Senate and the Minority Leader of the House of Representatives would be required to appoint members from their respective chambers.

Member Compensation

Joint Committee members would be paid compensation, amounts for travel expenses, and subsistence expenses or allowances for attendance at any meeting of the Joint Committee or any subcommittee meeting authorized by the Joint Committee.

Professional Services

The bill would allow the Legislative Coordinating Council (LCC) to provide for professional services as requested by the Joint Committee.

Recommendations and Introduction of Legislation

The bill would authorize the Joint Committee to make recommendations and introduce legislation it deems necessary in performing its functions.

Meetings

The bill would require the first meeting of the Joint Committee to be held on or before August 1, 2021, on the call of the chairperson. After the initial meeting, the Joint Committee would be required to meet at least once in January and once in April when the Legislature is in regular session and at least once for two consecutive days during each of the third and fourth calendar quarters, on the call of the chairperson. The Joint Committee would be limited to six meetings in a calendar year, except additional meetings may

be held on call of the chairperson when urgent circumstances require such meetings.

Seven members would constitute a quorum of the Joint Committee.

Annual Report

At the beginning of each regular session of the Legislature, the bill would require the Joint Committee submit a written report to the President of the Senate, the Speaker of the House of Representatives, the House Committee on Children and Seniors, and the Senate Committee on Public Health and Welfare. The report would be required to include any recommended changes to current laws, rules and regulations, and policies regarding the safety and well-being of children in the child welfare system in the state.

Background

The bill was introduced by the Senate Committee on Public Health and Welfare at the request of Senator Hilderbrand.

Senate Committee on Public Health and Welfare

In the Senate Committee hearing, a representative from DCF provided **proponent** testimony, stating the bill would provide an opportunity for oversight and continuous updates to the Legislature on the state of child welfare in Kansas and DCF would welcome the opportunity to work with the proposed joint committee.

Written-only **proponent** testimony was provided by the Children's Alliance of Kansas and the Kansas Association of School Boards.

No neutral or **opponent** testimony was provided.

House Committee on Children and Seniors

In the House Committee hearing, the Secretary for Children and Families and representatives of Children's Alliance of Kansas and the Kansas Association of School Boards provided written-only **proponent** testimony.

No neutral or opponent testimony was provided.

The House Committee amended the bill to add two members to the Joint Committee: a Senate member appointed by the Senate Minority Leader and a House member appointed by the House Majority Leader.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, DCF states staff time required by the bill is already included with DCF's current budget and DCF assumes that there would be no fiscal effect on the agency for external members' travel expenses, as the bill states those expenses would be the responsibility of the LCC. Legislative Administrative Services indicates enactment of the bill would increase costs by \$30,009 from the State General Fund in FY 2022. These costs include expenditures for 11 members for salaries, subsistence, mileage, tolls, and other expenses of \$25,949. There would also be committee assistant costs of \$4,060.

Any fiscal effect associated with the bill is not reflected in *The FY 2022 Governor's Budget Report*.

Joint Committee on Child Welfare System Oversight; children and minors; Legislature