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MEMORANDUM

To: House Committee on Child Welfare and Foster Care
From: Office of Revisor of Statutes
Date: February 19, 2024
Subject: House Bill 2189

HB 2189 amends two statutes related to who may be under the court's jurisdiction and extends jurisdiction for some individuals in custody of the secretary.

First, the bill would create a new definition for a "non-minor dependent" in K.S.A. 38-2202. A non-minor dependent would be a person at least 18 years of age, but less than 21 years of age, who, other than the age, meets the definition of a child in need of care under subsection (d). The definition of child in need of care lists multiple factors that identify a child as a child in need of care.

Second, the bill amends K.S.A. 38-2203, the statute that authorizes the court's jurisdiction over a child in need of care. In subsection (c)(3), a court shall not terminate jurisdiction before June 1 of a child who turns 18 years while in an out of home placement (already current law) or who is a non-minor dependent in an out-of-home placement transitioning to adulthood (new).

Then, in new subsection (c)(4), such non-minor dependent shall participate in case planning, attend school or work, and receive independent living services. If the non-minor dependent fails to comply with these requirements, the secretary may petition to terminate jurisdiction. A court shall no longer have jurisdiction over a non-minor dependent who has been absent from a placement for longer than 30 days or turns 21.