

HOUSE BILL No. 2189

By Representative Thomas

1-26

1 AN ACT concerning children and minors; relating to children in the
2 custody of the secretary for children and families; providing for an
3 extension of re-entry of custody for persons up to 21 years of age;
4 amending K.S.A. 38-2202 and 38-2203 and repealing the existing
5 sections.

allowing the secretary to provide reentry
services to certain young adults;

House Committee on Child Welfare and Foster Care
March 20, 2024
HB 2189
Prepared by: The Office of Revisor of Statutes

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 38-2202 is hereby amended to read as follows: 38-
2202. As used in the revised Kansas code for care of children, unless the
context otherwise indicates:

(a) "Abandon" or "abandonment" means to forsake, desert or, without
making appropriate provision for substitute care, cease providing care for
the child.

(b) "Adult correction facility" means any public or private facility,
secure or nonsecure, that is used for the lawful custody of accused or
convicted adult criminal offenders.

(c) "Aggravated circumstances" means the abandonment, torture,
chronic abuse, sexual abuse or chronic, life-threatening life-threatening
neglect of a child.

(d) "Child in need of care" means a person less than 18 years of age
at the time of filing of the petition or issuance of an ex parte protective
custody order pursuant to K.S.A. 38-2242, and amendments thereto, who:

(1) Is without adequate parental care, control or subsistence and the
condition is not due solely to the lack of financial means of the child's
parents or other custodian;

(2) Is without the care or control necessary for the child's physical,
mental or emotional health;

(3) Has been physically, mentally or emotionally abused or neglected
or sexually abused;

(4) Has been placed for care or adoption in violation of law;

(5) Has been abandoned or does not have a known living parent;

(6) Is not attending school as required by K.S.A. 72-3421 or 72-3120,
and amendments thereto;

(7) Except in the case of a violation of K.S.A. 41-727, K.S.A. 74-
8810(i), K.S.A. or 79-3321(m) or (n), and amendments thereto, or K.S.A.
2022 Supp. 21-6301(a)(14), and amendments thereto, or, except as

New Section 1. (a) Upon a written request of an eligible

young adult, the secretary for children and families shall
provide reentry services to such young adult.

(b) Young adults are eligible for reentry services if such
young adult:

(1) Has reached 18 years of age but not yet 21 years of age;

(2) Was previously in custody of the secretary and in an out-
of-home placement on or after such young adult has
reached 16 years of age; and

(3) Such out-of-home placement was not with such young
adult's parents, at a juvenile detention facility or a juvenile
correctional facility.

(c) Such young adult receiving reentry services shall
participate in self-sufficiency planning, attend school or
work and make efforts towards independence as determined
by the secretary.

(d) Provision of reentry services shall terminate when,
whichever of the following occurs first:

(1) The secretary determines the young adult is not
complying with subsection (c);

(2) The young adult voluntarily requests termination of
services; or

(3) The young adult reaches 21 years of age.

renumber sections accordingly