

SESSION OF 2021

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2448

As Recommended by House Committee on
Children and Seniors

Brief*

HB 2448 would amend a statute governing restrictions on persons maintaining or residing, working, or volunteering at a child care facility. Specifically, the bill would allow the Secretary for Children and Families (Secretary) to license a family foster home, if the Secretary determines there is no safety concern, when a person who has been adjudicated as a juvenile offender for certain otherwise disqualifying acts under continuing law:

- Was a child in the custody of the Secretary and placed with such family foster home by the Secretary;
- Is 18 years of age or older; and
- Maintains residence at such family foster home or has been legally adopted by any person who resides at such family foster home.

The otherwise disqualifying acts covered by this provision would include:

- Acts that if done by an adult would constitute the commission of a felony that is a crime against persons;
- Any act described in the articles of the Kansas Criminal Code covering crimes against persons,

*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>

sex offenses, or crimes affecting family relationships and children; and

- Certain acts described in the articles of the Kansas Criminal Code covering crimes involving violations of personal rights, crimes against the public safety, and crimes against the public morals.

[*Note:* Although other references in the statute are to the Secretary of Health and Environment, who generally oversees child care licensing, 2015 ERO 43 transferred responsibility for foster care licensing to the Secretary for Children and Families.]

Background

The bill was introduced by the House Committee on Appropriations at the request of Representative Concannon.

House Committee on Children and Seniors

In the House Committee hearing on March 24, 2021, representatives of the Department for Children and Families (DCF) and KVC Kansas testified as **proponents**, stating the bill would provide DCF with discretion to license a family foster home where a former foster youth who has been adjudicated as a juvenile offender resides, helping such youth achieve permanency and to facilitate placements for other foster youth. A representative of Children’s Alliance of Kansas and a representative of the Kansas Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs Association provided written-only **proponent** testimony. No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget, DCF indicates enactment of the bill would have no fiscal effect on its operations.

Foster care; family foster homes; licensing; adoption; juvenile offenders