

HOUSE BILL No. 2776

By Committee on Judiciary

2-5

AN ACT concerning adoption; relating to venue; amending K.S.A. 59-2126 and repealing the existing section.

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

Section 1. K.S.A. 59-2126 is hereby amended to read as follows: 59-2126. (a) In an independent adoption venue shall be in the county in which the petitioner resides or in the county in which the child to be adopted resides.

(b) In an agency adoption venue shall be:

(1) In the county in which the petitioner resides;

(2) in the county in which the child to be adopted resided prior to receipt of custody by the agency; or

(3) where the child placing agency is located.

Venue location established in this subsection is not prioritized in any particular order. Any one location shall be the proper venue.

(c) In a stepparent adoption venue shall be in the county in which the petitioner resides or where the child resides.

(d) If the petitioner resides upon or is stationed at a United States military post or reservation within this state, and the child to be adopted is then residing with the petitioner, venue may be in the district court of the county in which the post or reservation is located, or in the district court of any county located immediately adjacent to such county.

(e) Where the residence of the child, as defined in K.S.A. 59-2112, serves as the basis for venue, a sworn affidavit shall be filed with the petition setting forth the factual basis for the child's residency.

Sec. 2. K.S.A. 59-2126 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.