

HOUSE BILL No. 2305

By Representative Pottorff

2-12

AN ACT concerning adoption; relating to the custody of the child; amending K.S.A. 59-2131 and repealing the existing section.

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

Section 1. K.S.A. 59-2131 is hereby amended to read as follows: 59-2131. (a) Pending the hearing in an independent or agency adoption, the court may make an appropriate order for the care and custody of the child. If the court makes an order for placement in a home not licensed to provide such care, then the home shall first be assessed by a person or agency authorized to make assessments under subsection (a) or (f) of K.S.A. 59-2132, *and amendments thereto*. In the absence of a preplacement assessment, the court may make an order for placement in a home not licensed to provide for the care and custody of the child following an evidentiary hearing which shall include testimony by the petitioners. Such hearing shall be heard and determined by the court as expeditiously as possible.

(b) *If a birth mother has signed a notarized power of attorney directing custody of the child to the adoptive parents, the medical care facility, as defined in K.S.A. 65-425, and amendments thereto, shall recognize such power of attorney.*

Sec. 2. K.S.A. 59-2131 is hereby repealed.

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