

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

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**MEMORANDUM**

To: House Committee on Child Welfare and Foster Care  
From: Office of Revisor of Statutes  
Date: March 15, 2023  
Subject: SB 115: Changing the lists of persons who are required to be given notice of the hearing on a petition for an independent or stepparent, private agency or public agency adoption.

Senate Bill 115 changes the lists of persons who are required to be given notice of the hearing on a petition for an independent or stepparent, private agency or public agency adoption.

The bill amends K.S.A. 59-2133, the Kansas adoption and relinquishment act statute concerning notice. Current law provides notice requirements for independent and stepparent adoptions in subsection (b) and for agency adoptions in subsection (c). The bill amends subsection (b) to require notice to all persons entitled to notice, but also specifies that persons who receive notice shall not be made a party or granted standing based solely on such notice.

The bill amends subsection (c) to provide separate notice requirements in an independent or stepparent adoption, a private agency adoption, and a public agency adoption. In addition to the persons entitled to notice under current law, presumed parents are added to the list of persons entitled to notice in independent, stepparent, and private agency adoptions, and legal guardians are added to the list of persons entitled to notice in stepparent and private agency adoptions. In a public agency adoption, only the consenting agency is entitled to notice.

Subsection (d) provides that notice of the hearing is not required to be given to a person whose parental rights have been terminated or a person or agency that has waived in writing the right to receive notice. Current law requiring the notice to be by personal service, certified mail return receipt requested or in any other manner the court may direct, is retained in subsection (e).