

February 10, 2026

The Honorable Cyndi Howerton, Chairperson
House Committee on Child Welfare and Foster Care
300 SW 10th Avenue, Room 152-S
Topeka, Kansas 66612

Dear Representative Howerton:

SUBJECT: Fiscal Note for HB 2734 by House Committee on Child Welfare and Foster Care

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2734 is respectfully submitted to your committee.

HB 2734 would amend the Revised Kansas Code for Care of Children as it would apply to a child under two years of age where a petition is filed. The bill would require the Secretary for Children and Families to implement expedited procedures for permanency of a child at the time a child welfare petition was filed. These procedures would be created in consultation with the Judicial Branch and each regional office of the Kansas Department for Children and Families. The bill would apply to any petitions filed on or after July 1, 2027. Starting with the 2028 Legislative session, the Secretary, in consultation with the Judicial Branch, would submit a report to the Legislature that includes an evaluation of the effectiveness of the expedited procedures and whether out-of-home placement costs were avoided. The Secretary would then file a final report by the first day of the 2036 Legislative session.

The bill would require that a child, with a petition filed requesting the child be adjudicated as a child in need of care, would be placed in a permanent home not later than 12 months after the original out-of-home placement. This provision would not apply if the court determined that placement in a permanent home was not in the child's best interests. When a court determines whether a delay is in the child's best interests, the court would be required to determine by clear and convincing evidence that reasonable efforts were made to find the child an appropriate permanent home and such home was not available, or that the child's needs deem it improbable that the child would have a successful permanent home placement.

The bill would also require the Secretary to provide the court with a report specifying which services would be provided to the child in order to remedy concerns regarding delay of placement. The court would be required to hold a hearing at least every six months until the child is placed in a permanent home. When a child in need of care petition is filed for a child and is subject to a

transfer of venue application, the court would presume a transfer without good cause that results in a delay of judicial proceedings would be detrimental to the child's best interests. This could be rebutted by a preponderance of the evidence.

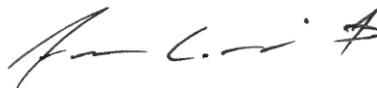
The bill would require that when a court finds that a child is a child in need of care, and the petition is filed, a dispositional hearing should be held at the same time, if possible. If the concurrent hearing is not held, then the dispositional hearing would be required to be held within 30 days after entering the adjudication, unless good cause for a continuance is shown by clear and convincing evidence. Dispositional hearings would require a permanency plan when the petition is filed. Further, such dispositional hearings could not be continued unless good cause is shown and the court finds the continuance is in the child's best interests. If a continuance is granted, the court would be required to set forth specific reasons necessitating the continuance and would schedule the hearing within 30 days of the original date. In any dispositional hearing when the petition is filed, the court would also include other children residing in the same household who are under two years of age at the time a petition is filed for the other children, if appropriate.

In a permanency hearing involving a child when the petition is filed, the court would request the Secretary to show good cause why the court should not order a motion to terminate parental rights. The bill contains examples of what would be considered good cause. The court would also be required to hold a permanency hearing within three months of the date that the court authorized the child's removal from the home.

The Office of Judicial Administration indicates that enactment of HB 2734 would have a fiscal effect on expenditures of the Judicial Branch. The bill's provisions would require the court to hold additional hearings and make findings in these cases. The court would also have to adhere to the deadlines specified in the bill. While it is difficult to determine how much additional judge and staff time the bill would require, these new requirements would increase the workload of district court staff. However, until the courts have had an opportunity to operate under the provisions of HB 2734, an accurate estimate on expenditures by the Judicial Branch cannot be given. The bill would not have a fiscal effect on revenues to the Judicial Branch or State General Fund.

The Department for Children and Families indicates that enactment of HB 2734 would have no fiscal effect on the agency. Any fiscal effect associated with HB 2734 is not reflected in *The FY 2027 Governor's Budget Report*.

Sincerely,



Adam C. Proffitt
Director of the Budget

cc: Trisha Morrow, Judiciary
Kim Holter, Department for Children & Families