

January 30, 2012

The Honorable Lance Kinzer, Chairperson
House Committee on Judiciary
Statehouse, Room 165-W
Topeka, Kansas 66612

Dear Representative Kinzer:

SUBJECT: Fiscal Note for HB 2482 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2482 is respectfully submitted to your committee.

HB 2482 would amend the Kansas Adoption and Relinquishment Act to prevent the finalization of an adoption if one parent proves prior to a final adoption order that he or she did not freely and voluntarily consent to the adoption by relinquishing parental rights. Currently if the court denies an adoption petition, the child can be placed with a person or agency for 30 days, pending termination of the case or the filing of a new case. HB 2482 would allow the court to consider all crucial circumstances surrounding the case and to place the child with a person, agency, or the adoptive family for up to 90 days, pending termination of the case or the filing of a new case. The bill would also allow for the court costs of indigent parents to be paid by the county.

Under current law, if a mother consents to an adoption, the child's father must also consent unless he has failed in his duties as a parent for two years preceding the adoption petition, or is incapable of providing his consent. HB 2482 would allow the court to consider the totality of the circumstances when determining if the father failed in, or refused to assume, the duties of a parent during the two years prior to the adoption petition.

HB 2482 would also allow the court to consider the totality of the circumstances and the abandonment of the mother after learning of the pregnancy when terminating a father's parental rights. The bill also further defines "support" to mean significant monetary or nonmonetary support.

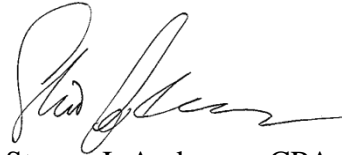
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Both the Department of Social and Rehabilitation Services and the Office of Judicial Administration state that passage of HB 2482 would not affect state expenditures. However, since the bill would allow for the court costs of indigent parents to be paid by the county, passage could increase county expenditures. Without knowing the number of such cases, the fiscal effect for counties cannot be estimated.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson", with a long horizontal flourish extending to the right.

Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Jackie Aubert, SRS
Mary Rinehart, Judiciary