

HOUSE BILL No. 2333

By Committee on Judiciary

2-14

1 AN ACT concerning children and minors; relating to adoption; date of  
2 final decree; amending K.S.A. ~~2018~~ 2019 Supp. 59-2134 and repealing  
3 the existing section.

4  
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. ~~2018~~ 2019 Supp. 59-2134 is hereby amended to  
7 read as follows: 59-2134. (a) (1) Upon the hearing of the petition, the court  
8 shall consider the assessment and all evidence, including evidence relating  
9 to determination of whether or not the court should exercise its  
10 jurisdiction, offered by any party in interest. If the adoption is granted, the  
11 court shall enter a final decree of adoption, which terminates parental  
12 rights if not previously terminated.

13 (2) (A) **Except as provided in subparagraph (B), a final decree of**  
14 *adoption shall take effect upon the filing of the judgment, unless the court*  
15 *makes a specific finding of fact that it is in the best interests of the child*  
16 *that the decree shall take effect at an earlier date as the court shall direct.*

17 (B) **If the child to be adopted is 16 or 17 years of age, the court**  
18 **may order a final decree of adoption to take effect at an earlier date.**  
19 *In no case shall such decree take effect more than two years earlier than*  
20 **the filing of the judgment or before a bona fide relationship was**  
21 *established between the child to be adopted and the prospective adoptive*  
22 *parent. In considering the date that a decree shall take effect, the court*  
23 *may consider a prospective adoptive parent's deployment or mobilization*  
24 *and the interest of siblings being adopted together.*

25 (3) *If an adoption has had the final decree of adoption entered by the*  
26 *court prior to July 1, ~~2019~~ 2020, the court may modify such final decree of*  
27 *adoption pursuant to the provisions of paragraph (2), at the request of an*  
28 *adoptive parent within 180 days after the enactment of this section.*

29 (4) *The provisions of paragraph (2) shall not apply to an adoption*  
30 *when the person to be adopted has attained the age of majority before the*  
31 *petition for adoption is filed.*

32 (b) If the adoption is denied, the court shall enter appropriate orders.  
33 Such orders may include an order giving temporary custody of the child to  
34 another person or agency for a period not to exceed 30 days pending  
35 termination of the instant case or a new case being filed.

36 (c) The costs of the adoption proceedings shall be paid by the

1 petitioner or as assessed by the court.

2 Sec. 2. K.S.A.-~~2018~~ **2019** Supp. 59-2134 is hereby repealed.

3 Sec. 3. This act shall take effect and be in force from and after its

4 publication in the statute book.