

HOUSE BILL No. 2075

By Committee on Judiciary

1-15

1 AN ACT concerning the probate code; relating to adoption; venue; agency
2 adoptions; amending K.S.A. 2020 Supp. 59-2126 and repealing the
3 existing section.
4

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

6 Section 1. K.S.A. 2020 Supp. 59-2126 is hereby amended to read as
7 follows: 59-2126. (a) Except as provided in subsection (f), in an
8 independent adoption, venue shall be in the county in which the petitioner
9 resides or in the county in which the child to be adopted resides.

10 (b) Except as provided in subsection (f), in an agency adoption, venue
11 shall be in the county:

12 (1) In which the petitioner resides;

13 (2) in which the child to be adopted resided prior to receipt of custody
14 by the agency; ~~or~~

15 (3) where the principal place of business for the child placing agency
16 is located; *or*

17 (4) *if the state or a department of the state is the agency, where the*
18 *department or any subcontracting agency has an office.*

19 (c) Except as provided in subsection (f), in a stepparent adoption,
20 venue shall be in the county in which the petitioner resides or where the
21 child resides.

22 (d) If the petitioner resides upon or is stationed at a United States
23 military post or reservation within this state, and the child to be adopted is
24 then residing with the petitioner, venue may be in the district court of the
25 county in which the post or reservation is located, or in the district court of
26 any county located immediately adjacent to such county.

27 (e) Where the residence of the child, as defined in K.S.A. 59-2112,
28 and amendments thereto, serves as the basis for venue, a sworn affidavit
29 shall be filed with the petition setting forth the factual basis for the child's
30 residency.

31 (f) In all adoptions, venue may be established in any county in
32 Kansas, if all parties in interest agree in writing to venue in that county.

33 Sec. 2. K.S.A. 2020 Supp. 59-2126 is hereby repealed.

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