

## HOUSE BILL No. 2700

By Committee on Children and Seniors

2-11

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1 AN ACT concerning children and minors; requiring the Kansas  
2 department for children and families to review certain items related to  
3 the child's needs and attachments before consenting to an adoption;  
4 requiring the court to make a finding that such review was conducted  
5 by the department before entering an order; amending K.S.A. 38-2270  
6 and repealing the existing section.  
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8 *Be it enacted by the Legislature of the State of Kansas:*

9 Section 1. K.S.A. 38-2270 is hereby amended to read as follows: 38-  
10 2270. (a) When parental rights have been terminated and it appears that  
11 adoption is a viable alternative, the court shall enter one of the following  
12 orders:

13 (1) An order granting custody of the child, for adoption proceedings,  
14 to the secretary or a corporation organized under the laws of the state of  
15 Kansas authorized to care for and surrender children for adoption as  
16 provided in K.S.A. 38-112 et seq., and amendments thereto. The person,  
17 secretary or corporation shall have authority to place the child in a family  
18 home, and give consent for the legal adoption of the child which shall be  
19 the only consent required to authorize the entry of an order or decree of  
20 adoption.

21 (2) An order granting custody of the child to proposed adoptive  
22 parents and consenting to the adoption of the child by the proposed  
23 adoptive parents.

24 (b) (1) *Prior to making an order under subsection (a)(1), the court*  
25 *shall make a finding that the person, secretary or corporation has*  
26 *conducted an individualized assessment of the child's needs and*  
27 *attachments as required by subsection (c).*

28 (2) In making an order under subsection (a), the court shall give  
29 preference, to the extent that the court finds it is in the best interests of the  
30 child, first to granting such custody for adoption to a relative of the child  
31 and second to granting such custody to a person with whom the child has  
32 close emotional ties.

33 (c) ~~*Discharge upon adoption.—Prior to giving consent for a legal*~~  
34 ~~*adoption of a child under (a)(1), the person, secretary or corporation shall*~~  
35 ~~*conduct an individualized assessment of such child's needs and*~~  
36 ~~*attachments and provide the court with a report of such assessment. Such*~~

1 *assessment shall include:*

2 *(1) The child's current relationships with caregivers, relatives,*  
3 *siblings and others;*

4 *(2) whether a family can best meet the child's medical, physical,*  
5 *emotional, cultural and other specific needs; and*

6 *(3) the child's need to maintain and strengthen current healthy*  
7 *attachments.*

8 *(d) When an adoption decree has been filed with the court in the child*  
9 *in need of care case, the secretary's custody shall cease, the court's*  
10 *jurisdiction over the child shall cease and the court shall enter an order to*  
11 *that effect.*

12 Sec. 2. K.S.A. 38-2270 is hereby repealed.

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