

SESSION OF 2024

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2490

As Amended by Senate Committee on Judiciary

Brief*

HB 2490, as amended, would amend law in the Revised Kansas Juvenile Justice Code concerning juvenile offender overall case length limits and tools available to courts to assess the educational needs of juvenile offenders.

Extension of Overall Case Length Limits

Current law allows for the court to extend a juvenile's overall case length limit incrementally when failure to complete an evidence-based program is due to the repeated, intentional effort to delay by the juvenile as reported by the evidence-based services provider.

The bill would remove the requirement that overall case length limits be granted incrementally, and would provide that the court could only extend the overall case length limit two times, for no more than 60 days per extension, when the extension is granted due to the juvenile's intentional efforts to delay.

Educational Assessments

The bill would also establish two additional tools that would be available to assist the court regarding juvenile offenders' educational needs. Additional tools available to the court would include the following:

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- An evaluation of the juvenile's academic record by a Jobs for America's Graduates (JAG) Kansas administrator; and
- A reading level assessment and a dyslexia screening by a member from the Center for Reading at Pittsburg State University or the Phillips Fundamental Learning Center.

Background

The bill was introduced by the J. Russell (Russ) Jennings Joint Committee on Corrections and Juvenile Justice Oversight.

[*Note:* The Joint Committee met in October 2023 and recommended the introduction of this legislation in its report to the 2024 Legislature.]

House Committee on Corrections and Juvenile Justice

In the House Committee hearing, written-only proponent testimony was provided by a representative of the Kansas Association of Court Services Officers.

A representative of Kansas Appleseed Center for Law and Justice provided neutral testimony stating the spirit of the bill, to ensure there are “legal guardrails” in place to prevent indefinite sentences, is appreciated, but 90 days is too long

A private citizen presented **opponent** testimony on the bill stating extending case length limits exacerbate the problem of juveniles receiving drug convictions.

Senate Committee on Judiciary

In the Senate Committee hearing, a representative of Kansas Association of Court Services Officers provided

proponent testimony stating that the bill would provide clarification and guidance regarding extensions which would ensure that juvenile cases do not unintentionally linger in the juvenile justice system.

Written-only proponent testimony was provided by a representative of the Juvenile Justice Oversight Committee.

A representative of Kansas Appleseed Center for Law and Justice provided neutral testimony stating that research shows additional time in the juvenile justice system does not always result in better outcomes and that consideration should be given regarding the length of extensions.

A private citizen provided **opponent** testimony on the bill, stating extending case length limits exacerbates the problem of juveniles receiving drug convictions.

The Senate Committee amended the bill to include additional tools for use by the court in evaluating the educational needs of juvenile offenders and to modify language concerning overall case length limits so that the court could only extend the overall case length limit two times, for no more than 60 days per extension,.

[*Note:* The bill, as introduced, would have allowed each incremental extension of an overall case length limit to be made for a period of no more than 90 days.]

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Judicial Branch, Board of Indigents Defense Services, Department of Corrections, Sentencing Commission, and the Attorney General indicate that enactment of the bill would have no fiscal effect.

Juvenile Offender; literacy; case length limit; extension