

HOUSE BILL No. 2021

By Committee on Corrections and Juvenile Justice

1-11

1 AN ACT concerning children and minors; ~~relating to risk and needs~~
2 ~~assessment for certain children in need of care; allowing for overall~~
3 ~~case length limit extensions for certain juvenile offenders; requiring the~~
4 ~~department of corrections to create juvenile justice data systems;~~
5 ***requiring agencies to collaborate when providing services to juvenile***
6 ***offenders and children in need of care;*** increasing use of evidence-
7 based programs account money; ~~authorizing detention sanctions for~~
8 ~~probation violations; increasing the cumulative detention cap;~~
9 amending K.S.A. 38-2203, 38-2304, ~~38-2361, 38-2391, 38-2392, 75-~~
10 ~~52,162~~ and 75-52,164 and repealing the existing sections.
11

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

13 ~~New Section 1. (a) On or before October 1, 2023, the secretary of~~
14 ~~corrections and the secretary for children and families shall enter into a~~
15 ~~memorandum of understanding to coordinate administering a risk and~~
16 ~~needs assessment, as defined in K.S.A. 38-2302, and amendments thereto;~~
17 ~~to children who have been identified as exhibiting behavior that could lead~~
18 ~~to offending behavior during the course of a child in need of care~~
19 ~~proceeding.~~

20 ~~(b) The memorandum of understanding shall include procedures for~~
21 ~~allowing children identified pursuant to subsection (a) to participate in~~
22 ~~evidence-based community programs offered pursuant to K.S.A. 75-~~
23 ~~52,164, and amendments thereto.~~

24 ~~(c) A copy of the memorandum of understanding shall be provided to~~
25 ~~the joint committee on corrections and juvenile justice oversight, the house~~
26 ~~of representatives standing committee on corrections and juvenile justice~~
27 ~~and the senate standing committee on judiciary.~~

28 ~~See. 2. Section 1.~~ K.S.A. 38-2203 is hereby amended to read as
29 follows: 38-2203. (a) Proceedings concerning any child who may be a
30 child in need of care shall be governed by this code, except in those
31 instances when the court knows or has reason to know that an Indian child
32 is involved in the proceeding, in which case, the Indian child welfare act of
33 1978, 25 U.S.C. § 1901 et seq., applies. The Indian child welfare act may
34 apply to: The filing to initiate a child in need of care proceeding, K.S.A.

1 38-2234, and amendments thereto; ex parte custody orders, K.S.A. 38-
2 2242, and amendments thereto; temporary custody hearing, K.S.A. 38-
3 2243, and amendments thereto; adjudication, K.S.A. 38-2247, and
4 amendments thereto; burden of proof, K.S.A. 38-2250, and amendments
5 thereto; disposition, K.S.A. 38-2255, and amendments thereto;
6 permanency hearings, K.S.A. 38-2264, and amendments thereto;
7 termination of parental rights, K.S.A. 38-2267, 38-2268 and 38-2269, and
8 amendments thereto; establishment of permanent custodianship, K.S.A.
9 38-2268 and 38-2272, and amendments thereto; the placement of a child in
10 any foster, pre-adoptive and adoptive home and the placement of a child in
11 a guardianship arrangement under article 30 of chapter 59 of the Kansas
12 Statutes Annotated, and amendments thereto.

13 (b) Subject to the uniform child custody jurisdiction and enforcement
14 act, K.S.A. 2022 Supp. 23-37,101 through 23-37,405, and amendments
15 thereto, the district court shall have original jurisdiction of proceedings
16 pursuant to this code.

17 (c) The court acquires jurisdiction over a child by the filing of a
18 petition pursuant to this code or upon issuance of an ex parte order
19 pursuant to K.S.A. 38-2242, and amendments thereto. When the court
20 acquires jurisdiction over a child in need of care, jurisdiction may continue
21 until the child has: (1) Become 18 years of age, or until June 1 of the
22 school year during which the child became 18 years of age if the child is
23 still attending high school unless there is no court approved transition plan,
24 in which event jurisdiction may continue until a transition plan is approved
25 by the court or until the child reaches ~~the age of 21 years of age~~; (2) been
26 adopted; or (3) been discharged by the court. Any child 18 years of age or
27 over may request, in writing to the court, that the jurisdiction of the court
28 cease. The court shall give notice of the request to all parties and interested
29 parties and 30 days after receipt of the request, jurisdiction will cease.

30 (d) When it is no longer appropriate for the court to exercise
31 jurisdiction over a child, the court, upon its own motion or the motion of a
32 party or interested party at a hearing or upon agreement of all parties or
33 interested parties, shall enter an order discharging the child. Except upon
34 request of the child pursuant to subsection (c), the court shall not enter an
35 order discharging a child until June 1 of the school year during which the
36 child becomes 18 years of age if the child is in an out-of-home placement,
37 is still attending high school and has not completed the child's high school
38 education.

39 (e) When a petition is filed under this code, a person who is alleged to
40 be under 18 years of age shall be presumed to be under that age for the
41 purposes of this code, unless the contrary is proved.

42 (f) A court's order issued in a proceeding pursuant to this code, shall
43 take precedence over such orders in a civil custody case, a proceeding

1 under article 31 of chapter 60 of the Kansas Statutes Annotated, and
2 amendments thereto, protection from abuse act, or a comparable case in
3 another jurisdiction, except as provided by K.S.A. 2022 Supp. 23-37,101
4 through 23-37,405, and amendments thereto, uniform child custody
5 jurisdiction and enforcement act.

6 *(g) If a child is eligible to receive services from the Kansas*
7 *department for children and families, the department of corrections or the*
8 *judicial branch, such agencies shall collaborate to provide such services.*
9 *Nothing in this subsection shall preclude the child from accessing services*
10 *provided by the Kansas department for children and families, the*
11 *department of corrections, the judicial branch or any other state agency if*
12 *the child is otherwise eligible for the services.*

13 Sec. ~~2~~ 2. K.S.A. 38-2304 is hereby amended to read as follows: 38-
14 2304. (a) Except as provided in K.S.A. 38-2347, and amendments thereto,
15 proceedings concerning a juvenile shall be governed by the provisions of
16 this code.

17 (b) The district court shall have original jurisdiction to receive and
18 determine proceedings under this code.

19 (c) When a complaint is filed under this code, the juvenile shall be
20 presumed to be subject to this code, unless the contrary is proved.

21 (d) Once jurisdiction is acquired by the district court over an alleged
22 juvenile offender, except as otherwise provided in subsection (e),
23 jurisdiction shall continue until one of the following occurs:

24 (1) The complaint is dismissed;

25 (2) the juvenile is adjudicated not guilty at trial;

26 (3) the juvenile, after being adjudicated guilty and sentenced:

27 (i) Successfully completes the term of probation;

28 (ii) is discharged by the secretary pursuant to K.S.A. 38-2376, and
29 amendments thereto;

30 (iii) reaches the juvenile's 21st birthday and no exceptions apply that
31 extend jurisdiction beyond ~~age~~ 21 years of age; or

32 (iv) reaches the overall case length limit;

33 (4) the court terminates jurisdiction; or

34 (5) the juvenile is convicted of a crime as an adult pursuant to chapter
35 22 of the Kansas Statutes Annotated, and amendments thereto.

36 (e) Once jurisdiction is acquired by the district court over an alleged
37 juvenile offender, it shall continue beyond the juvenile offender's 21st
38 birthday but ~~no~~ not later than the juvenile offender's 23rd birthday if:

39 (1) The juvenile offender is sentenced pursuant to K.S.A. 38-2369,
40 and amendments thereto, and the term of the sentence including successful
41 completion of conditional release extends beyond the juvenile offender's
42 21st birthday but does not extend beyond the overall case length limit; or

43 (2) the juvenile offender is sentenced pursuant to an extended

1 jurisdiction juvenile prosecution and continues to successfully serve the
2 sentence imposed pursuant to the revised Kansas juvenile justice code.

3 (f) Termination of jurisdiction pursuant to this section shall have no
4 effect on the juvenile offender's continuing responsibility to pay restitution
5 ordered.

6 (g) (1) If a juvenile offender, at the time of sentencing, is in an ~~out-of-~~
7 ~~home~~ *out-of-home* placement in the custody of the secretary for children
8 and families under the Kansas code for care of children, the sentencing
9 court may order the continued placement of the juvenile offender as a child
10 in need of care.

11 (2) Court services, community corrections and the department of
12 corrections shall address the risks and needs of the juvenile offender
13 according to the results of the risk and needs assessment.

14 ~~(3) If the juvenile offender is placed in the custody of the secretary of~~
15 ~~corrections, the secretary for children and families shall be responsible for~~
16 ~~collaborating with the department of corrections to furnish services~~
17 ~~ordered in the child in need of care proceeding during the time of the~~
18 ~~placement pursuant to the revised Kansas juvenile justice code. Nothing in~~
19 ~~this subsection shall preclude the juvenile offender from accessing services~~
20 ~~provided by the Kansas department for children and families or any other~~
21 ~~state agency if the juvenile offender is otherwise eligible for the services.~~

22 (h) *If a juvenile or juvenile offender is eligible to receive services*
23 *from the Kansas department for children and families, the department of*
24 *corrections or the judicial branch, such agencies shall collaborate to*
25 *provide such services. Nothing in this code shall preclude the juvenile or*
26 *juvenile offender from accessing services provided by the Kansas*
27 *department for children and families, the department of corrections, the*
28 *judicial branch or any other state agency if the juvenile or juvenile*
29 *offender is otherwise eligible for the services.*

30 (i) A court's order issued in a proceeding pursuant to this code; shall
31 take precedence over such orders in a proceeding under chapter 23 of the
32 Kansas Statutes Annotated, and amendments thereto, the Kansas family
33 law code, a proceeding under article 31 of chapter 60 of the Kansas
34 Statutes Annotated, and amendments thereto, protection from abuse act, a
35 proceeding under article 21 of chapter 59 of the Kansas Statutes
36 Annotated, and amendments thereto, adoption and relinquishment act, a
37 proceeding under article 30 of chapter 59 of the Kansas Statutes
38 Annotated, and amendments thereto, guardians and conservators, or a
39 comparable case in another jurisdiction, except as provided by K.S.A.
40 2022 Supp. 23-37,101 et seq., and amendments thereto, uniform child
41 custody jurisdiction and enforcement act.

42 ~~Sec. 4. K.S.A. 38-2361 is hereby amended to read as follows: 38-~~
43 ~~2361. (a) Upon adjudication as a juvenile offender pursuant to K.S.A. 38-~~

1 ~~2356, and amendments thereto, modification of sentence pursuant to~~
2 ~~K.S.A. 38-2367, and amendments thereto, or violation of a condition of~~
3 ~~sentence pursuant to K.S.A. 38-2368, and amendments thereto, the court~~
4 ~~may impose one or more of the following sentencing alternatives for a~~
5 ~~fixed period pursuant to K.S.A. 38-2369 and 38-2391, and amendments~~
6 ~~thereto.~~

7 ~~(1) Place the juvenile on probation for a fixed period pursuant to~~
8 ~~K.S.A. 38-2391, and amendments thereto, subject to terms and conditions~~
9 ~~the court deems appropriate consistent with juvenile justice programs in~~
10 ~~the community. Any juvenile placed on probation shall be supervised~~
11 ~~according to the juvenile's risk and needs as determined by a risk and~~
12 ~~needs assessment. Placement of juvenile offenders to community~~
13 ~~corrections for probation supervision shall be limited to offenders~~
14 ~~adjudicated for an offense that are determined to be moderate-risk, high-~~
15 ~~risk or very high-risk on a risk and needs assessment using the cutoff~~
16 ~~scores established by the secretary pursuant to K.S.A. 38-2360, and~~
17 ~~amendments thereto.~~

18 ~~(2) Order the juvenile to participate in a community based program~~
19 ~~available in such judicial district subject to the terms and conditions the~~
20 ~~court deems appropriate. This alternative shall not be ordered with the~~
21 ~~alternative in paragraph (11). Requirements pertaining to child support~~
22 ~~may apply if custody is vested with other than a parent.~~

23 ~~(3) Place the juvenile in the custody of a parent or other suitable~~
24 ~~person, which is not a group home or other facility licensed pursuant to~~
25 ~~article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments~~
26 ~~thereto, subject to terms and conditions consistent with juvenile justice~~
27 ~~programs in the community. This alternative shall not be ordered with the~~
28 ~~alternative in paragraph (11). Requirements pertaining to child support~~
29 ~~may apply if custody is vested with other than a parent.~~

30 ~~(4) Order the juvenile to attend counseling, educational, mediation or~~
31 ~~other sessions, or to undergo a drug evaluation pursuant to subsection (b).~~

32 ~~(5) Suspend or restrict the juvenile's driver's license or privilege to~~
33 ~~operate a motor vehicle on the streets and highways of this state pursuant~~
34 ~~to subsection (c).~~

35 ~~(6) Order the juvenile to perform charitable or community service~~
36 ~~work.~~

37 ~~(7) Order the juvenile to make appropriate reparation or restitution~~
38 ~~pursuant to subsection (d).~~

39 ~~(8) Order the juvenile to pay a fine not exceeding \$1,000 pursuant to~~
40 ~~subsection (e).~~

41 ~~(9) Place the juvenile under a house arrest program administered by~~
42 ~~the court pursuant to K.S.A. 2022 Supp. 21-6609, and amendments~~
43 ~~thereto.~~

1 ~~(10) Place the juvenile in the custody of the secretary of corrections~~
2 ~~as provided in K.S.A. 38-2365, and amendments thereto. This alternative~~
3 ~~shall not be ordered with the alternative in paragraph (3) or (12). Except~~
4 ~~for mandatory drug and alcohol evaluation, when this alternative is~~
5 ~~ordered with alternatives in paragraphs (2), (4) and (9), such orders shall~~
6 ~~constitute a recommendation by the court. Requirements pertaining to~~
7 ~~child support shall apply under this alternative. The provisions of this~~
8 ~~paragraph shall expire on January 1, 2018.~~

9 ~~(11) Upon a violation of a condition of sentence, other than a~~
10 ~~technical violation pursuant to K.S.A. 38-2368, and amendments thereto,~~
11 ~~commit the juvenile to detention for a period no longer than 30 days~~
12 ~~subject to the provisions of subsection (g).~~

13 ~~(12) If the judge finds and enters into the written record that the~~
14 ~~juvenile poses a significant risk of harm to another or damage to property,~~
15 ~~and the juvenile is otherwise eligible for commitment pursuant to K.S.A.~~
16 ~~38-2369, and amendments thereto, commit the juvenile directly to the~~
17 ~~custody of the secretary of corrections for placement in a juvenile~~
18 ~~correctional facility or a youth residential facility. Placement in a youth~~
19 ~~residential facility shall only be permitted as authorized in K.S.A. 38-~~
20 ~~2369(e), and amendments thereto. If the court elects, a period of~~
21 ~~conditional release pursuant to K.S.A. 38-2369, and amendments thereto,~~
22 ~~may also be ordered. The period of conditional release shall be limited to a~~
23 ~~maximum of six months and shall be subject to graduated responses.~~
24 ~~Twenty-one days prior to the juvenile's release from a juvenile correctional~~
25 ~~facility, the secretary of corrections or designee shall notify the court of the~~
26 ~~juvenile's anticipated release date. This alternative may be ordered with the~~
27 ~~alternative in paragraph (7). Requirements pertaining to child support shall~~
28 ~~apply under this alternative.~~

29 ~~(13) Upon a finding by the trier of fact during adjudication that a~~
30 ~~firearm was used in the commission of an offense by the accused which, if~~
31 ~~committed by an adult, would constitute a felony, a judge may commit the~~
32 ~~juvenile directly to the custody of the secretary of corrections for~~
33 ~~placement in a juvenile correctional facility or youth residential facility for~~
34 ~~a minimum term of six months and up to a maximum term of 18 months,~~
35 ~~regardless of the risk level of such juvenile as determined by a risk and~~
36 ~~needs assessment. If the juvenile is committed to the custody of the~~
37 ~~secretary, and the court elects, a period of conditional release, pursuant to~~
38 ~~K.S.A. 38-2369, and amendments thereto, may also be ordered. The period~~
39 ~~of conditional release shall be limited to a maximum of six months and~~
40 ~~shall be subject to graduated responses. Twenty-one days prior to the~~
41 ~~juvenile's release from a juvenile correctional facility or youth residential~~
42 ~~facility, the secretary of corrections or the secretary's designee shall notify~~
43 ~~the court of the juvenile's anticipated release date.~~

1 ~~(b) If the court orders the juvenile to attend counseling, educational,~~
2 ~~mediation or other sessions, or to undergo a drug and alcohol evaluation~~
3 ~~pursuant to subsection (a)(4), the following provisions apply:~~

4 ~~(1) The court may order the juvenile offender to participate in~~
5 ~~counseling or mediation sessions or a program of education, including~~
6 ~~placement in an alternative educational program approved by a local~~
7 ~~school board. The costs of any counseling or mediation may be assessed as~~
8 ~~expenses in the case. No mental health center shall charge a fee for court-~~
9 ~~ordered counseling greater than what the center would have charged the~~
10 ~~person receiving the counseling if the person had requested counseling on~~
11 ~~the person's own initiative. No mediator shall charge a fee for court-~~
12 ~~ordered mediation greater than what the mediator would have charged the~~
13 ~~person participating in the mediation if the person had requested mediation~~
14 ~~on the person's own initiative. Mediation may include the victim but shall~~
15 ~~not be mandatory for the victim; and~~

16 ~~(2) if the juvenile has been adjudicated to be a juvenile by reason of a~~
17 ~~violation of a statute that makes such a requirement, the court shall order~~
18 ~~and, if adjudicated for any other offense, the court may order the juvenile~~
19 ~~to submit to and complete a drug and alcohol evaluation by a community-~~
20 ~~based drug and alcohol safety action program certified pursuant to K.S.A.~~
21 ~~8-1008, and amendments thereto, and to pay a fee not to exceed the fee~~
22 ~~established by that statute for such evaluation. The court may waive the~~
23 ~~mandatory evaluation if the court finds that the juvenile completed a drug~~
24 ~~and alcohol evaluation, approved by the community-based alcohol and~~
25 ~~drug safety action program, within 12 months before sentencing. If the~~
26 ~~evaluation occurred more than 12 months before sentencing, the court~~
27 ~~shall order the juvenile to resubmit to and complete the evaluation and~~
28 ~~program as provided herein. If the court finds that the juvenile and those~~
29 ~~legally liable for the juvenile's support are indigent, the court may waive~~
30 ~~the fee. In no event shall the fee be assessed against the secretary of~~
31 ~~corrections or the department of corrections nor shall the fee be assessed~~
32 ~~against the secretary of the department for children and families or the~~
33 ~~Kansas department for children and families if the juvenile is in the~~
34 ~~secretary's care, custody and control.~~

35 ~~(c) If the court orders suspension or restriction of a juvenile offender's~~
36 ~~driver's license or privilege to operate a motor vehicle on the streets and~~
37 ~~highways of this state pursuant to subsection (a)(5), the following~~
38 ~~provisions apply:~~

39 ~~(1) The duration of the suspension ordered by the court shall be for a~~
40 ~~definite time period to be determined by the court. Upon suspension of a~~
41 ~~license pursuant to this subsection, the court shall require the juvenile~~
42 ~~offender to surrender the license to the court. The court shall transmit the~~
43 ~~license to the division of motor vehicles of the department of revenue, to~~

1 ~~be retained until the period of suspension expires. At that time, the licensee~~
2 ~~may apply to the division for return of the license. If the license has~~
3 ~~expired, the juvenile offender may apply for a new license, which shall be~~
4 ~~issued promptly upon payment of the proper fee and satisfaction of other~~
5 ~~conditions established by law for obtaining a license unless another~~
6 ~~suspension or revocation of the juvenile offender's privilege to operate a~~
7 ~~motor vehicle is in effect. As used in this subsection, "highway" and~~
8 ~~"street" have the meanings provided by K.S.A. 8-1424 and 8-1473, and~~
9 ~~amendments thereto. Any juvenile offender who does not have a driver's~~
10 ~~license may have driving privileges revoked. No Kansas driver's license~~
11 ~~shall be issued to a juvenile offender whose driving privileges have been~~
12 ~~revoked pursuant to this section for a definite time period to be determined~~
13 ~~by the court; and~~

14 ~~(2) in lieu of suspending a juvenile offender's driver's license or~~
15 ~~privilege to operate a motor vehicle on the highways of this state, the court~~
16 ~~may enter an order which places conditions on the juvenile offender's~~
17 ~~privilege of operating a motor vehicle on the streets and highways of this~~
18 ~~state, a certified copy of which the juvenile offender shall be required to~~
19 ~~carry any time the juvenile offender is operating a motor vehicle on the~~
20 ~~streets and highways of this state. The order shall prescribe a definite time~~
21 ~~period for the conditions imposed. Upon entering an order restricting a~~
22 ~~juvenile offender's license, the court shall require the juvenile offender to~~
23 ~~surrender such juvenile offender's license to the court. The court shall~~
24 ~~transmit the license to the division of vehicles, together with a copy of the~~
25 ~~order. Upon receipt thereof, the division of vehicles shall issue without~~
26 ~~charge a driver's license which shall indicate on its face that conditions~~
27 ~~have been imposed on the juvenile offender's privilege of operating a~~
28 ~~motor vehicle and that a certified copy of the order imposing the~~
29 ~~conditions is required to be carried by the juvenile offender when~~
30 ~~operating a motor vehicle on the streets and highways of this state. If the~~
31 ~~juvenile offender is a nonresident, the court shall cause a copy of the order~~
32 ~~to be transmitted to the division and the division shall forward a copy of it~~
33 ~~to the motor vehicle administrator of the juvenile offender's state of~~
34 ~~issuance. The court shall furnish to any juvenile offender whose driver's~~
35 ~~license has had conditions imposed on it under this section a copy of the~~
36 ~~order, which shall be recognized as a valid Kansas driver's license until the~~
37 ~~division issues the restricted license provided for in this subsection. Upon~~
38 ~~expiration of the period of time for which conditions are imposed pursuant~~
39 ~~to this subsection, the juvenile offender may apply to the division for the~~
40 ~~return of the license previously surrendered by the juvenile offender. In the~~
41 ~~event the license has expired, the juvenile offender may apply to the~~
42 ~~division for a new license, which shall be issued immediately by the~~
43 ~~division upon payment of the proper fee and satisfaction of the other~~

~~1 conditions established by law unless such juvenile offender's privilege to
2 operate a motor vehicle on the streets and highways of this state has been
3 suspended or revoked prior thereto. If any juvenile offender violates any of
4 the conditions imposed under this subsection, the juvenile offender's
5 driver's license or privilege to operate a motor vehicle on the streets and
6 highways of this state shall be revoked for a period as determined by the
7 court in which the juvenile offender is convicted of violating such
8 conditions.~~

~~9 (d) The following provisions apply to the court's determination of
10 whether to order reparation or restitution pursuant to subsection (a)(7):~~

~~11 (1) The court shall order the juvenile to make reparation or restitution
12 to the aggrieved party for the damage or loss caused by the juvenile
13 offender's offense unless it finds compelling circumstances that would
14 render a plan of reparation or restitution unworkable. If the court finds
15 compelling circumstances that would render a plan of reparation or
16 restitution unworkable, the court shall enter such findings with
17 particularity on the record. In lieu of reparation or restitution, the court
18 may order the juvenile to perform charitable or social service for
19 organizations performing services for the community; and~~

~~20 (2) restitution may include, but shall not be limited to, the amount of
21 damage or loss caused by the juvenile's offense. Restitution may be made
22 by payment of an amount fixed by the court or by working for the parties
23 sustaining loss in the manner ordered by the court. An order of monetary
24 restitution shall be a judgment against the juvenile that may be collected
25 by the court by garnishment or other execution as on judgments in civil
26 cases. Such judgment shall not be affected by the termination of the court's
27 jurisdiction over the juvenile offender.~~

~~28 (e) If the court imposes a fine pursuant to subsection (a)(8), the
29 following provisions apply:~~

~~30 (1) The amount of the fine may not exceed \$1,000 for each offense.
31 The amount of the fine should be related to the seriousness of the offense
32 and the juvenile's ability to pay. Payment of a fine may be required in a
33 lump sum or installments;~~

~~34 (2) in determining whether to impose a fine and the amount to be
35 imposed, the court shall consider that imposition of a fine is most
36 appropriate in cases where the juvenile has derived pecuniary gain from
37 the offense and that imposition of a restitution order is preferable to
38 imposition of a fine; and~~

~~39 (3) any fine imposed by the court shall be a judgment against the
40 juvenile that may be collected by the court by garnishment or other
41 execution as on judgments in civil cases. Such judgment shall not be
42 affected by the termination of the court's jurisdiction over the juvenile.~~

~~43 (f) Before the court sentences a juvenile offender pursuant to~~

1 ~~subsection (a), the court shall administer a risk assessment tool, as~~
2 ~~described in K.S.A. 38-2360, and amendments thereto, or review a risk~~
3 ~~assessment tool that was administered within the past six months to the~~
4 ~~juvenile and use the results of that assessment to inform orders made~~
5 ~~pursuant to K.S.A. 38-2369 and 38-2391, and amendments thereto.~~

6 ~~(g) If the court commits the juvenile to detention pursuant to~~
7 ~~subsection (a)(11), the following provisions shall apply:~~

8 ~~(1) The court shall only order commitment to detention upon~~
9 ~~violation of sentencing conditions where all other alternatives have been~~
10 ~~exhausted.~~

11 ~~(2) In order to commit a juvenile to detention upon violation of~~
12 ~~sentencing conditions, the court shall find that the juvenile poses a~~
13 ~~significant risk of harm to another or damage to property, is charged with a~~
14 ~~new felony offense, or violates conditional release.~~

15 ~~(3) The court shall not order commitment to detention upon~~
16 ~~adjudication as a juvenile offender pursuant to K.S.A. 38-2356, and~~
17 ~~amendments thereto, for solely technical violations of probation, contempt,~~
18 ~~a violation of a valid court order, to protect from self-harm or due to any~~
19 ~~state or county failure to find adequate alternatives.~~

20 ~~(4) Cumulative detention use shall be limited to a maximum of 45 90~~
21 ~~days over the course of a juvenile offender's case pursuant to K.S.A. 38-~~
22 ~~2391, and amendments thereto. The court shall review any detention~~
23 ~~commitment every seven days and may shorten the initial commitment or~~
24 ~~extend the commitment. In no case, however, may the term of detention or~~
25 ~~any extension thereof exceed the cumulative detention limit of 45 90 days~~
26 ~~or the overall case length limit.~~

27 ~~(5) A juvenile over 18 years of age and less than 23 years of age at~~
28 ~~sentencing shall be committed to a county jail, in lieu of a juvenile~~
29 ~~detention center, under the same time restrictions imposed by paragraph~~
30 ~~(1), but shall not be committed to or confined in a juvenile detention~~
31 ~~facility.~~

32 ~~(h) Any order issued by the judge pursuant to this section shall be in~~
33 ~~effect immediately upon entry into the court's minutes.~~

34 ~~(i) In addition to the requirements of K.S.A. 38-2373, and~~
35 ~~amendments thereto, if a person is under 18 years of age and convicted of~~
36 ~~a felony or adjudicated as a juvenile offender for an offense if committed~~
37 ~~by an adult would constitute the commission of a felony, the court shall~~
38 ~~forward a signed copy of the journal entry to the secretary of corrections~~
39 ~~within 30 days of final disposition.~~

40 ~~(j) Except as further provided, if a juvenile has been adjudged to be a~~
41 ~~juvenile offender for an offense which, if committed by an adult would~~
42 ~~constitute the commission of: (1) Aggravated human trafficking, as defined~~
43 ~~in K.S.A. 2022 Supp. 21-5426(b), and amendments thereto, if the victim is~~

1 ~~less than 14 years of age; (2) rape, as defined in K.S.A. 2022 Supp. 21-~~
2 ~~5503(a)(3), and amendments thereto; (3) aggravated indecent liberties with~~
3 ~~a child, as defined in K.S.A. 2022 Supp. 21-5506(b)(3), and amendments~~
4 ~~thereto; (4) aggravated criminal sodomy, as defined in K.S.A. 2022 Supp.~~
5 ~~21-5504(b)(1) or (b)(2), and amendments thereto; (5) commercial sexual~~
6 ~~exploitation of a child, as defined in K.S.A. 2022 Supp. 21-6422, and~~
7 ~~amendments thereto, if the victim is less than 14 years of age; (6) sexual~~
8 ~~exploitation of a child, as defined in K.S.A. 2022 Supp. 21-5510(a)(1) or~~
9 ~~(a)(4), and amendments thereto, if the victim is less than 14 years of age;~~
10 ~~or (7) an attempt, conspiracy or criminal solicitation, as defined in K.S.A.~~
11 ~~2022 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, of an~~
12 ~~offense defined in paragraphs (1) through (6); the court shall issue an order~~
13 ~~prohibiting the juvenile from attending the attendance center that the~~
14 ~~victim of the offense attends. If only one attendance center exists, for~~
15 ~~which the victim and juvenile are eligible to attend, in the school district~~
16 ~~where the victim and the juvenile reside, the court shall hear testimony and~~
17 ~~take evidence from the victim, the juvenile, their families and a~~
18 ~~representative of the school district as to why the juvenile should or should~~
19 ~~not be allowed to remain at the attendance center attended by the victim.~~
20 ~~After such hearing, the court may issue an order prohibiting the juvenile~~
21 ~~from attending the attendance center that the victim of the offense attends.~~

22 ~~(k) The court may order a short-term alternative placement of a~~
23 ~~juvenile pursuant to subsection (a)(3) in an emergency shelter, therapeutic~~
24 ~~foster home or community integration program if:~~

25 ~~(1) Such juvenile has been adjudicated to be a juvenile offender for~~
26 ~~an offense which, if committed by an adult would constitute the~~
27 ~~commission of:~~

28 ~~(A) Aggravated human trafficking, as defined in K.S.A. 2022 Supp.~~
29 ~~21-5426(b), and amendments thereto, if the victim is less than 14 years of~~
30 ~~age;~~

31 ~~(B) rape, as defined in K.S.A. 2022 Supp. 21-5503, and amendments~~
32 ~~thereto;~~

33 ~~(C) commercial sexual exploitation of a child, as defined in K.S.A.~~
34 ~~2022 Supp. 21-6422, and amendments thereto, if the victim is less than 14~~
35 ~~years of age;~~

36 ~~(D) sexual exploitation of a child, as defined in K.S.A. 2022 Supp.~~
37 ~~21-5510(a)(1) or (a)(4), and amendments thereto, if the victim is less than~~
38 ~~14 years of age;~~

39 ~~(E) aggravated indecent liberties with a child, as defined in K.S.A.~~
40 ~~2022 Supp. 21-5506, and amendments thereto, if the victim is less than 14~~
41 ~~years of age; or~~

42 ~~(F) an attempt, conspiracy or criminal solicitation, as defined in~~
43 ~~K.S.A. 2022 Supp. 21-5301, 21-5302 or 21-5303, and amendments~~

1 ~~thereto, of an offense defined in paragraphs (1) through (4); and~~

2 ~~(2) (A) the victim resides in the same home as the juvenile offender;~~

3 ~~(B) a community supervision officer in consultation with the~~
4 ~~department for children and families determines that an adequate safety~~
5 ~~plan, which shall include the physical and psychological well-being of the~~
6 ~~victim, cannot be developed to keep the juvenile in the same home; and~~

7 ~~(C) there are no relevant child in need of care issues that would~~
8 ~~permit a case to be filed under the Kansas code for care of children.~~

9 ~~The presumptive term of commitment shall not extend beyond the~~
10 ~~overall case length limit but may be modified pursuant to K.S.A. 38-2367~~
11 ~~and 38-2397, and amendments thereto. If a child is placed outside the~~
12 ~~child's home at the dispositional hearing pursuant to this subsection and no~~
13 ~~reintegration plan is made a part of the record of the hearing, a written~~
14 ~~reintegration plan shall be prepared pursuant to K.S.A. 38-2397, and~~
15 ~~amendments thereto, and submitted to the court within 15 days of the~~
16 ~~initial order of the court.~~

17 ~~(l) The sentencing hearing shall be open to the public as provided in~~
18 ~~K.S.A. 38-2353, and amendments thereto.~~

19 ~~(m) The overall case length limit shall be calculated by the court and~~
20 ~~entered into the written record when one or more of the sentencing options~~
21 ~~under this section are imposed. The period fixed by the court pursuant to~~
22 ~~subsection (a) shall not extend beyond the overall case length limit.~~

23 ~~Sec. 5. K.S.A. 38-2391 is hereby amended to read as follows: 38-~~
24 ~~2391. (a) Upon adjudication as a juvenile offender pursuant to K.S.A. 38-~~
25 ~~2356, and amendments thereto, modification of sentence pursuant to~~
26 ~~K.S.A. 38-2367, and amendments thereto, or violation of a condition of~~
27 ~~sentence pursuant to K.S.A. 38-2368, and amendments thereto, the court~~
28 ~~may impose one or more of the sentencing alternatives under K.S.A. 38-~~
29 ~~2361, and amendments thereto, for a period of time pursuant to this section~~
30 ~~and K.S.A. 38-2369, and amendments thereto. The period of time ordered~~
31 ~~by the court shall not exceed the overall case length limit.~~

32 ~~(b) Except as provided in subsection (c), the overall case length limit~~
33 ~~shall be calculated based on the adjudicated offense and the results of a~~
34 ~~risk and needs assessment, as follows:~~

35 ~~(1) Offenders adjudicated for a misdemeanor may remain under the~~
36 ~~jurisdiction of the court for up to 12 months;~~

37 ~~(2) low-risk and moderate-risk offenders adjudicated for a felony may~~
38 ~~remain under court jurisdiction for up to 15 months; and~~

39 ~~(3) high-risk offenders adjudicated for a felony may remain under~~
40 ~~court jurisdiction for up to 18 months.~~

41 ~~(c) There shall be no overall case length limit for a juvenile~~
42 ~~adjudicated for a felony which, if committed by an adult, would constitute~~
43 ~~an off-grid felony or a nondrug severity level 1 through 4 person felony.~~

1 ~~(d) When a juvenile is adjudicated for multiple counts, the maximum~~
2 ~~overall case length shall be calculated based on the most severe~~
3 ~~adjudicated count or any other adjudicated count at the court's discretion.~~
4 ~~The court shall not run multiple adjudicated counts consecutively.~~

5 ~~(e) When the juvenile is adjudicated for multiple cases~~
6 ~~simultaneously, the court shall run those such cases concurrently.~~

7 ~~(f) Upon expiration of the overall case length limit as defined in~~
8 ~~subsection (b), the court's jurisdiction terminates and shall not be~~
9 ~~extended, except as provided in subsection (g)(2).~~

10 ~~(g) (1) For the purposes of placing juvenile offenders on probation~~
11 ~~pursuant to K.S.A. 38-2361, and amendments thereto, the court shall~~
12 ~~establish a specific term of probation as specified in this subsection based~~
13 ~~on the most serious adjudicated count in combination with the results of a~~
14 ~~risk and needs assessment, as follows, except that the term of probation~~
15 ~~shall not exceed the overall case length limit:~~

16 ~~(A) Low-risk and moderate-risk offenders adjudicated for a~~
17 ~~misdemeanor and low-risk offenders adjudicated for a felony may be~~
18 ~~placed on probation for a term up to six months;~~

19 ~~(B) high-risk offenders adjudicated for a misdemeanor and moderate-~~
20 ~~risk offenders adjudicated for a felony may be placed on probation for a~~
21 ~~term up to nine months; and~~

22 ~~(C) high-risk offenders adjudicated for a felony may be placed on~~
23 ~~probation for a term up to 12 months.~~

24 ~~(2) The court may extend the term of probation if a juvenile needs~~
25 ~~time to complete an evidence-based program as determined to be~~
26 ~~necessary based on the results of a validated risk and needs assessment~~
27 ~~and, if necessary, may extend the overall case length limit to allow for~~
28 ~~completion of such program when failure to complete such program is due~~
29 ~~to delay by the juvenile. The court may also extend the term of probation~~
30 ~~for good cause shown for one month for low-risk offenders, three months~~
31 ~~for moderate-risk offenders and six months for high-risk offenders. Prior~~
32 ~~to extension of the initial probationary term, the court shall find and enter~~
33 ~~into the written record the criteria permitting extension of probation.~~
34 ~~Extensions of probation and the overall case length limit shall only be~~
35 ~~granted incrementally and shall not exceed the overall case length limit.~~
36 ~~When the court extends the term of probation for a juvenile offender, the~~
37 ~~court services officer or community correctional services officer~~
38 ~~responsible for monitoring such juvenile offender shall record the reason~~
39 ~~given for extending probation. Court services officers shall report such~~
40 ~~records to the office of judicial administration, and community~~
41 ~~correctional services officers shall report such records to the department of~~
42 ~~corrections. The office of judicial administration and the department of~~
43 ~~corrections shall report such recorded data to the Kansas juvenile justice~~

1 ~~oversight committee on a quarterly basis.~~

2 ~~(3) The probation term limits do not apply to those offenders~~
3 ~~adjudicated for an offense which, if committed by an adult, would~~
4 ~~constitute an off-grid crime, rape as defined in K.S.A. 2022 Supp. 21-~~
5 ~~5503(a)(1), and amendments thereto, aggravated criminal sodomy as~~
6 ~~defined in K.S.A. 2022 Supp. 21-5504(b)(3), and amendments thereto, or~~
7 ~~murder in the second degree as defined in K.S.A. 2022 Supp. 21-5403, and~~
8 ~~amendments thereto. Such offenders may be placed on probation for a~~
9 ~~term consistent with the overall case length limit.~~

10 ~~(4) The probation term limits and overall case length limits provided~~
11 ~~in this section shall be tolled during any time that the offender has~~
12 ~~absconded from supervision while on probation, and the time on such~~
13 ~~limits shall not start to run again until the offender is located and brought~~
14 ~~back to the jurisdiction.~~

15 ~~(h) For the purpose of placing juvenile offenders in detention~~
16 ~~pursuant to K.S.A. 38-2361 and 38-2369, and amendments thereto, the~~
17 ~~court shall establish a specific term of detention. The term of detention~~
18 ~~shall not exceed the overall case length limit or the cumulative detention~~
19 ~~limit. Cumulative detention use shall be limited to a maximum of 45-90~~
20 ~~days over the course of the juvenile offender's case, except that there shall~~
21 ~~be no limit on cumulative detention for juvenile offenders adjudicated for~~
22 ~~a felony which, if committed by an adult, would constitute an off-grid~~
23 ~~felony or a nondrug severity level 1 through 4 person felony.~~

24 ~~(i) The provisions of this section shall apply upon disposition or 15-~~
25 ~~days after adjudication, whichever is sooner, unless the juvenile fails to~~
26 ~~appear for such juvenile's dispositional hearing. If a juvenile fails to appear~~
27 ~~at such juvenile's dispositional hearing, the probation term limits and~~
28 ~~overall case length limits provided in this section shall not apply until the~~
29 ~~juvenile is brought before the court for disposition in such juvenile's case.~~

30 ~~(j) This section shall be a part of and supplemental to the revised~~
31 ~~Kansas juvenile justice code.~~

32 ~~Sec. 6. K.S.A. 38-2392 is hereby amended to read as follows: 38-~~
33 ~~2392. (a) The department of corrections shall, in consultation with the~~
34 ~~supreme court, adopt rules and regulations by January 1, 2017, for a~~
35 ~~statewide system of structured community-based graduated responses for~~
36 ~~technical violations of probation, violations of conditional release and~~
37 ~~violations of a condition of sentence by juveniles. Such graduated~~
38 ~~responses shall be utilized by community supervision officers to provide a~~
39 ~~continuum of community-based responses. These responses shall include~~
40 ~~sanctions that are swift and certain to address violations based on the~~
41 ~~severity of the violation as well as incentives that encourage positive~~
42 ~~behaviors. Such responses shall take into account the juvenile's risks and~~
43 ~~needs.~~

1 ~~(b) (1) Except as provided in paragraph (4), when a juvenile is placed~~
2 ~~on probation pursuant to K.S.A. 38-2361, and amendments thereto,~~
3 ~~community supervision officers shall utilize graduated responses, targeted~~
4 ~~to the juvenile's risks and needs based on the results of a risk and needs~~
5 ~~assessment to address technical violations. A technical violation shall only~~
6 ~~be considered by the court for revocation if:~~

7 ~~(1)(A) It is a third or subsequent technical violation;~~

8 ~~(2)(B) prior failed responses are documented in the juvenile's case~~
9 ~~plan; and~~

10 ~~(3)(C) the community supervision officer has determined and~~
11 ~~documented that graduated responses to the violation will not suffice.~~

12 ~~(2) Unless a juvenile poses a significant risk of physical harm to~~
13 ~~another or damage to property, community supervision officers shall issue~~
14 ~~a summons rather than request a warrant on a third or subsequent technical~~
15 ~~violation subject to review by the court.~~

16 ~~(3) Absconding from supervision shall not be considered a technical~~
17 ~~violation of probation and, after reasonable efforts to locate a juvenile that~~
18 ~~has absconded are unsuccessful, the court may issue a warrant for the~~
19 ~~juvenile pursuant to K.S.A. 38-2342, and amendments thereto.~~

20 ~~(4) When a juvenile is placed on probation pursuant to K.S.A. 38-~~
21 ~~2361, and amendments thereto, a judge may commit such juvenile to~~
22 ~~detention for a violation of probation, including a technical violation, and~~
23 ~~for contempt of court. A juvenile may be committed to detention for a~~
24 ~~period not to exceed:~~

25 ~~(A) 24 hours for a first violation;~~

26 ~~(B) 48 hours for a second violation; and~~

27 ~~(C) 15 days for a third or subsequent violation.~~

28 ~~(e) When a juvenile is placed on probation pursuant to K.S.A. 38-~~
29 ~~2361, and amendments thereto, the community supervision officer~~
30 ~~responsible for oversight of the juvenile shall develop a case plan in~~
31 ~~consultation with the juvenile and the juvenile's family. The department for~~
32 ~~children and families and local board of education may participate in the~~
33 ~~development of the case plan when appropriate.~~

34 ~~(1) Such case plan shall incorporate the results of the risk and needs~~
35 ~~assessment, referrals to programs, documentation on violations and~~
36 ~~graduated responses and shall clearly define the role of each person or~~
37 ~~agency working with the juvenile.~~

38 ~~(2) If the juvenile is later committed to the custody of the secretary,~~
39 ~~the case plan shall be shared with the juvenile correctional facility.~~

40 ~~(d) This section shall be a part of and supplemental to the revised~~
41 ~~Kansas juvenile justice code.~~

42 ~~Sec. 7. K.S.A. 75-52,162 is hereby amended to read as follows: 75-~~
43 ~~52,162. (a) (1) The department of corrections and the Kansas juvenile~~

1 ~~justice oversight committee shall explore methods of exchanging~~
2 ~~confidential data between all parts of the juvenile justice system. Such data~~
3 ~~exchange shall be limited based on the needs of the user accessing the~~
4 ~~data. Such method of exchanging data shall take into consideration sharing~~
5 ~~data that is necessary for continuity of treatment and correctional~~
6 ~~programs, including, but not limited to, health care requirements, mental~~
7 ~~health care needs and history, substance abuse treatment and history,~~
8 ~~recommendations for emergency placement options and any other~~
9 ~~information to assist in providing proper care to the juvenile. The~~
10 ~~department of corrections is authorized to use grant funds, allocated state~~
11 ~~funds or any other accessible funding necessary to create such data~~
12 ~~exchange system. All state and local programs involved in the care of~~
13 ~~juveniles involved in the juvenile justice system or the child in need of~~
14 ~~care system shall cooperate in the development and utilization of such~~
15 ~~system.~~

16 ~~(2) (A) On or before July 1, 2025, the department of corrections shall~~
17 ~~develop a system to facilitate the exchanging of confidential data~~
18 ~~described in paragraph (1). **The department may contract with another**~~
19 ~~**entity to provide an electronic record system that is not maintained by**~~
20 ~~**the department. Such system shall include a verification system that is**~~
21 ~~**operated by the department for the purpose of verifying the**~~
22 ~~**authenticity and validity of electronic records. The electronic records**~~
23 ~~**maintained in such system shall have the same legal effect as paper**~~
24 ~~**records.**~~

25 ~~(B) The department shall report to the joint committee on corrections~~
26 ~~and juvenile justice oversight, the house of representatives standing~~
27 ~~committee on corrections and juvenile justice, the house of representatives~~
28 ~~standing committee on appropriations, the senate standing committee on~~
29 ~~judiciary and the senate standing committee on ways and means on the~~
30 ~~progress of development on or before the first day of the 2024 regular~~
31 ~~session of the legislature.~~

32 ~~(b) The department of corrections shall establish and maintain a~~
33 ~~statewide searchable database that contains information regarding~~
34 ~~juveniles who participate in an immediate intervention program. County~~
35 ~~and district attorneys, judges, community supervision officers and juvenile~~
36 ~~intake and assessment workers shall have access to the database and shall~~
37 ~~submit necessary data to such database. The department of corrections~~
38 ~~shall, in consultation with the office of judicial administration, adopt rules~~
39 ~~and regulations to carry out the provisions of this subsection.~~

40 Sec. ~~8.~~ 3. K.S.A. 75-52,164 is hereby amended to read as follows: 75-
41 52,164. (a) (1) There is hereby established in the state treasury the
42 evidence-based programs account of the state general fund, which shall be
43 administered by the department of corrections. All expenditures from the

1 evidence-based programs account of the state general fund shall be for the
2 development and implementation of evidence-based community programs
3 and practices for:

4 (A) Juvenile offenders; *and their families*;

5 (B) juveniles experiencing mental health crisis and their families;

6 **and**

7 ~~(C) children who have been administered a risk and needs~~
8 ~~assessment and have been identified as needing services pursuant to~~
9 ~~section 1, and amendments thereto; and~~

10 ~~(D) grants as provided in subsection (e).~~

11 (2) Evidence-based community programs and practices may be
12 administered by community supervision offices, ~~including, but not limited~~
13 ~~to~~, juvenile intake and assessment, court services, community corrections
14 ~~and~~, juvenile crisis intervention centers, *community mental health centers,*
15 *community health centers, the youth advocate program, jobs for*
16 *America's graduates Kansas transition services and any other*
17 *community-based service provider offering evidence-based community*
18 *programs.*

19 (3) All expenditures from the evidence-based programs account of
20 the state general fund shall be made in accordance with appropriation acts
21 upon warrants of the director of accounts and reports issued pursuant to
22 vouchers approved by the secretary of corrections or the secretary's
23 designee.

24 (b) At least annually, throughout the year, the secretary of corrections
25 shall determine and certify to the director of accounts and reports the
26 amount in each account of the state general fund of a state agency that has
27 been determined by the secretary to be actual or projected cost savings as a
28 result of cost avoidance resulting from decreased reliance on incarceration
29 in the juvenile correctional facility and placement in youth residential
30 centers. The baseline shall be calculated on the cost of incarceration and
31 placement in fiscal year 2015.

32 (c) Upon receipt of a certification pursuant to subsection (b), the
33 director of accounts and reports shall transfer the amount certified
34 pursuant to subsection (b) from each account of the state general fund of a
35 state agency that has been determined by the secretary of corrections to be
36 actual or projected cost savings to the evidence-based programs account of
37 the state general fund.

38 (d) Prioritization of evidence-based programs account of the state
39 general fund moneys will be given to regions that demonstrate a high rate
40 of out-of-home placement of juvenile offenders per capita that have few
41 existing community-based alternatives.

42 ~~(e) During fiscal years 2017 and 2018, the secretary of corrections~~
43 ~~shall transfer an amount not to exceed \$8,000,000 from appropriated~~

1 department of corrections moneys from the state general fund or any
2 available special revenue fund or funds that are budgeted for the purposes
3 of facilitating the development and implementation of new community
4 placements in conjunction with the reduction in out-of-home placements.

5 **(1)** *The secretary of corrections shall develop and implement a grant*
6 *program with the goal of implementing evidence-based community*
7 *programs described in subsection (a) throughout the state, subject to the*
8 *availability of funding in the evidence-based programs account of the state*
9 *general fund **after other expenditures for evidence-based programs are***
10 ***made.** The secretary shall adopt grant requirements in accordance with*
11 *this section. Any provider of evidence-based community programs for*
12 *juveniles may apply for a grant. The grant program shall give priority to*
13 *any county that demonstrates a low availability of evidence-based*
14 *community programs for juveniles. The secretary shall evaluate the*
15 *programs that received a grant to ensure the program is being delivered as*
16 *such program was designed.*

17 **(2)** ***Child welfare case management providers shall not be eligible***
18 ***to receive grants under this subsection.***

19 (f) *Expenditures made from the evidence-based programs account of*
20 *the state general fund shall be made promptly and on a rolling basis to*
21 *develop and implement evidence-based community programs as services*
22 *are needed throughout the state.*

23 (g) *The evidence-based programs account of the state general fund*
24 *and any other moneys transferred pursuant to this section shall be used for*
25 *the purposes set forth in this section and for no other governmental*
26 *purposes. It is the intent of the legislature that the funds and the moneys*
27 *deposited in this fund shall remain intact and inviolate for the purposes set*
28 *forth in this section.*

29 Sec. ~~9~~. 4. *K.S.A. 38-2203, 38-2304, ~~38-2361, 38-2391, 38-2392, 75-~~*
30 *~~52,162~~ and 75-52,164 are hereby repealed.*

31 Sec. ~~10~~. 5. *This act shall take effect and be in force from and after its*
32 *publication in the statute book.*