

As Amended by House Committee

Session of 2023

HOUSE BILL No. 2247

By Committee on Child Welfare and Foster Care

1-31

1 AN ACT concerning ~~minors; related to children in the custody of the~~
2 ~~secretary~~ **financial institutions; relating to bank deposits,**
3 **withdrawals and safe deposit box lease agreements; authorizing**
4 **any person to become a depositor or enter into an agreement for**
5 **the lease of a safe deposit box; providing methods in which bank**
6 **deposits may be withdrawn by a depositor;** prohibiting banks from
7 requiring a cosigner for an account of a child in the custody of the
8 secretary **for children and families, the secretary of corrections or a**
9 **federally recognized Indian tribe;** amending K.S.A. 9-1204 and
10 repealing the existing section.
11

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

13 Section 1. K.S.A. 9-1204 is hereby amended to read as follows: 9-
14 1204. *(a)* ~~Any bank may receive deposits from minors or in the name of~~
15 ~~minors and pay the same upon the order of such minors whether or not~~
16 ~~such minors are emancipated. Payments so made shall discharge the bank~~
17 ~~from any further liability on the account person, regardless of age, may~~
18 **become a depositor in any bank and shall be subject to the same duties**
19 **and liabilities respecting such person's deposits. Whenever a deposit is**
20 **accepted by any bank in the name of any person, regardless of age, the**
21 **deposit may be withdrawn by the depositor by any of the following**
22 **methods:**

23 **(1) Check or other instrument in writing. The check or other**
24 **instrument in writing constitutes a receipt or acquittance if the check**
25 **or other instrument in writing is signed by the depositor and**
26 **constitutes a valid release and discharge to the bank for all payments**
27 **made; or**

28 **(2) electronic means through:**

29 **(A) Preauthorized direct withdrawal;**

30 **(B) an automatic teller machine;**

31 **(C) a debit card;**

32 **(D) a transfer by telephone;**

33 **(E) a network, including the internet; or**

34 **(F) any electronic terminal, computer, magnetic tape or other**
35 **electronic means.**

36 *(b) ~~No bank shall deny~~ Any bank that accepts deposits from minors*

1 16 years of age or older in the custody of the secretary for children and
2 families, a federally recognized Indian tribe in this state or the secretary
3 of corrections ~~without~~ **shall not require a cosigner; or the funds to be**
4 *deposited with the consent of the custodian. Such minor shall be*
5 *responsible for banking costs or penalties associated with such deposits.*
6 *The secretary, or their designee, or any foster or biological parent shall*
7 *not be responsible for banking costs or penalties associated with such*
8 *deposits.*

9 **(c) Any person, regardless of age, individually or with others may**
10 **enter into an agreement with a bank for the lease of a safe deposit box**
11 **and shall be bound by the terms of such agreement.**

12 **(d) This section shall not be construed to affect the rights,**
13 **liabilities or responsibilities of participants in an electronic fund**
14 **transfer under the federal electronic fund transfer act, 15 U.S.C. §**
15 **1693 et seq., as in effect on July 1, 2024, and shall not affect the legal**
16 **relationship between a minor and any person other than the bank.**

17 Sec. 2. K.S.A. 9-1204 is hereby repealed.

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