

February 16, 2024

The Honorable Susan Concannon, Chairperson
House Committee on Child Welfare and Foster Care
300 SW 10th Avenue, Room 152-S
Topeka, Kansas 66612

Dear Representative Concannon:

SUBJECT: Fiscal Note for HB 2772 by House Committee on Child Welfare and Foster Care

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2772 is respectfully submitted to your committee.

HB 2772 would establish the Kansas Indian Child Welfare Act by providing additional requirements for child custody proceedings involving Indian children. The bill would define terms used in the Act. The bill would grant jurisdiction over proceedings that involve an Indian child to the child's Indian tribe. The bill would require the Secretary of the Department for Children and Families (DCF) to notify Indian tribes if a proceeding would involve an Indian child. The bill would require state courts to seek placement of an Indian child with an Indian custodian or person committed to the child's culture. The state courts would be required to declare standards for proceedings involving an Indian child. The state courts would also be required to provide notice of the proceedings and identify when to notify the United States Secretary of the Interior.

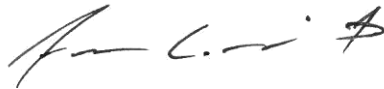
According to the Office of Judicial Administration, enactment of HB 2772 could have a fiscal effect on expenditures of the Judicial Branch. The bill's provisions could result in additional time spent by the district court judges and staff on these child custody proceedings. Nevertheless, until the courts have had an opportunity to operate under the provisions of HB 2772, an accurate estimate of the fiscal effect on expenditures by the Judicial Branch cannot be given. The bill would not have a fiscal effect on revenues to the Judicial Branch or State General Fund.

DCF indicates that enactment of HB 2772 would have additional requirements beyond current federal requirements related to the Indian Child Welfare Act that the agency follows. The agency has a tribal liaison, and the additional duties could be achieved within existing resources.

The Honorable Susan Concannon, Chairperson
Page 2—HB 2772

Any fiscal effect associated with HB 2772 is not reflected in *The FY 2025 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt". The signature is fluid and cursive, with a distinct flourish at the end.

Adam C. Proffitt
Director of the Budget

cc: Trisha Morrow, Judiciary
Kim Holter, Department for Children & Families