

financial institutions; relating to bank deposits, withdrawals and safe deposit box lease agreements; authorizing any person to become a depositor or enter into an agreement for the lease of a safe deposit box; providing methods in which bank deposits may be withdrawn by a depositor

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~~; prohibiting banks from requiring a cosigner for an account of  
3 a child in the custody of the secretary; amending K.S.A. 9-1204 and  
4 repealing the existing section.

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

6 Section 1. K.S.A. 9-1204 is hereby amended to read as follows: 9-  
7 1204. (a) ~~Any bank may receive deposits from minors or in the name of~~  
8 ~~minors and pay the same upon the order of such minors whether or not~~  
9 ~~such minors are emancipated. Payments so made shall discharge the bank~~  
10 ~~from any further liability on the account.~~

11 (b) ~~No bank shall deny deposits from minors 16 years of age or older~~  
12 ~~in the custody of the secretary for children and families, a federally~~  
13 ~~recognized Indian tribe in this state or the secretary of corrections without~~  
14 ~~a cosigner, deposited with the consent of the custodian. Such minor shall~~  
15 ~~be responsible for banking costs or penalties associated with such~~  
16 ~~deposits. The secretary, or their designee, or any foster or biological~~  
17 ~~parent shall not be responsible for banking costs or penalties associated~~  
18 ~~with such deposits.~~

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 K.S.A. 9-1204 is hereby repealed.

20 Sec. 3. This act shall take effect and be in force from and after its  
21 publication in the statute book.  
22

for children and families, the secretary of corrections or a federally recognized Indian tribe

Any person, regardless of age, may become a depositor in any bank and shall be subject to the same duties and liabilities respecting such person's deposits. Whenever a deposit is accepted by any bank in the name of any person, regardless of age, the deposit may be withdrawn by the depositor by any of the following methods:

- (1) Check or other instrument in writing. The check or other instrument in writing constitutes a receipt or acquittance if the check or other instrument in writing is signed by the depositor and constitutes a valid release and discharge to the bank for all payments so made; or
- (2) electronic means through:
  - (A) Preauthorized direct withdrawal;
  - (B) an automatic teller machine;
  - (C) a debit card;
  - (D) a transfer by telephone;
  - (E) a network, including the internet; or
  - (F) any electronic terminal, computer, magnetic tape or other electronic means.

Any bank that accepts

shall not require

or the funds to be

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

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