

SESSION OF 2024

**SUPPLEMENTAL NOTE ON HOUSE SUBSTITUTE FOR
SENATE BILL NO. 420**

As Recommended by House Committee on
Corrections and Juvenile Justice

Brief*

House Sub. for SB 420 would amend law related to juvenile offender case length limits and establish criteria to permit offenders in the custody of the Secretary of Corrections to leave the juvenile facility for certain activities.

Juvenile Case Length Limits

The bill would limit incremental extensions to juvenile case length limits under certain circumstances to not more than 90 days.

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

The bill would clarify that each extension granted for the above criteria may not exceed 90 days in length.

Juvenile Facility Leave

The bill would authorize the Secretary of Corrections (Secretary) to allow a juvenile in the Secretary's custody to leave a facility for certain specified reasons:

*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>

- Employment;
- Job interviews;
- Education;
- Job training;
- Skills development classes or programs;
- Treatment programs; or
- Any community pro-social activity to support risk reduction and reintegration.

The bill would require the Secretary to adopt policies and procedures to ensure adequate oversight, supervision, and accountability of these juveniles, as the bill would allow these juveniles to leave the facility without being accompanied by a staff member or designated adult.

Background

The House Committee on Corrections and Juvenile Justice recommended a substitute bill incorporating the provisions of HB 2490, as passed by the House of Representatives, regarding juvenile case length limits, and the provisions of HB 2698, as passed by the House of Representatives, regarding juvenile facility leave.

SB 420, as passed by the Senate, contained provisions regarding the crime of breach of privacy.

[*Note:* The provisions of SB 420, as passed by the Senate, were inserted into SB 414 by the House Committee.]

HB 2490 (Juvenile Case Length Limits)

HB 2490 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 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 exacerbates the problem of juveniles receiving drug convictions.

HB 2698 (Juvenile Facility Leave)

HB 2698 was introduced by the House Committee on Corrections and Juvenile Justice at the request of a representative of the Kansas Department of Corrections (KDOC).

House Committee on Corrections and Juvenile Justice

In the House Committee hearing, proponent testimony was presented by the KDOC Deputy Secretary of Juvenile and Adult Community-Based Services. The proponent generally stated the bill would allow KDOC to take another step towards providing employment skills and experience to

residents of the Kansas Juvenile Corrections Complex, as a majority of the residents will leave the facility eligible for entry into the workforce.

Written-only proponent testimony was submitted by the President and Chief Executive Officer of Jobs for America's Graduates – Kansas and a representative of the Juvenile Justice Oversight Committee.

No other testimony was provided.

Fiscal Information

HB 2490 (Juvenile Case Length Limits)

According to the fiscal note prepared by the Division of the Budget on HB 2490, 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.

HB 2698 (Juvenile Facility Leave)

According to the fiscal note prepared by the Division of the Budget on HB 2698, as introduced, KDOC indicates the bill would likely require some reallocation of staff, but the cost to perform the required duties could be absorbed within existing resources and staff levels. Any fiscal impact is not reflected in the *FY 2025 Governor's Budget Report*.

Juvenile justice; Department of Corrections; workforce; education; case length limit; extension