

**2019-2020 Kansas Child Welfare-Related Legislation  
Special Committee on Foster Care Oversight**

| Enacted Child Welfare-Related Legislation |                                   |  |   |
|---|-----------------------------------|--|---|
| Bill                                      | Original Sponsor                  | Bill Summary   | Status  |
| EO 20-53                                  | Governor                          | The Executive Order established an annual report card for students in foster care.   | Signed by Governor, July 7, 2020.   |
| SB 18                                     | Senate Committee on Judiciary     | The bill amends statutes regarding various crimes, including the penalties for the crimes of involuntary manslaughter and abuse of a child. Effective July 1, 2019, the penalty for the crime of involuntary manslaughter is raised from a severity level 5 to a severity level 3 person felony if the victim is under six years of age, and the penalty for the crime of abuse of a child is raised from a severity level 5 to a severity level 4 person felony if the victim is under six years of age. These provisions will be known as "Mireya's Law."  | Approved by Governor; provision effective July 1, 2019.   |
| House Sub. for SB 25                      | House Committee on Appropriations | <p>The bill adjusts funding for fiscal year (FY) 2019, FY 2020, and FY 2021 for select state agencies, and FY 2019 and FY 2020 capital improvement expenditures for several state agencies. Language to create the Joint Committee on Child Welfare System Oversight for FY 2020 was deleted in conference committee.</p> <p><b>FY 2019 and FY 2020 Funding for Human Services Consensus Caseload Estimates:</b> The Legislature adopted Governor's Budget Amendment No.1, Item 7, to fund the human services consensus caseload estimate to add \$4.5 million, including \$5.9 million from the State General Fund (SGF), in FY 2019 and \$32.1 million, including \$24.5 million from the SGF, for FY 2020.</p> <p><b>FY 2019 Budget:</b> No changes were made to the Governor's recommendations to the FY 2019 approved budget for the Department for Children and Families (DCF) in the following areas: \$537,518 All Funds and \$452,516 from the SGF for the federal Family First Prevention Services Act (FFPSA), and \$1.6 million for a Kansas Eligibility Enforcement System (KEES) upgrade. The Legislature deleted \$415,526, including \$401,148 from the SGF (half of the Governor's recommendation), for additional child welfare staff positions.</p> <p><b>FY 2020 Budget:</b> The bill added \$2.6 million from the SGF to the DCF FY 2020 budget to add 16.0 full-time equivalent (FTE) additional child welfare staff positions, for a total of 42.0 FTE positions over two years. The Legislature added \$13.5 million All Funds, including \$6.9 million from the SGF, for FFPSA.</p> <p>(Note: The Governor's recommendation included \$9.3 million, but the Legislature added \$4.2 million, all from federal funds, to meet the 50 percent match.) The Legislature also added \$300,000 All Funds and \$150,000 from the SGF for an integrated child welfare system (CCWIS). Additionally, \$7.1 million (including \$3.0 million from the SGF) was added for KEES upgrades. Further, funds are to be appropriated from the Children's Initiative Fund for FY 2020 for family preservation in the amount of \$3,241,062, with any unencumbered balance in the Family Preservation Account in excess of \$100 as of June 30, 2019, to be reappropriated for FY 2020. Court Appointed Special Advocate funding was increased for FY 2020 to \$397,445 (FY 2019 was \$378,997) from the Permanent Families Account – Family and Children's Investment Fund of the Judicial Branch.</p> <p><b>Required DCF Expenditures for FY 2020: Early Home Visitation Programs.</b> DCF is to make expenditures in an amount not to exceed \$3.0 million to fund early childhood home visitation programs provided by any organization that promotes child wellbeing and prevents the abuse and neglect of children through intensive home visits, provided any such program is offered to families with incomes less than 200 percent of the federal poverty level (FPL), complies with requirements of the Temporary Assistance for Needy Families (TANF) block grant, and meets the programmatic requirements of TANF federal guidelines. Budget Provisos: During FY 2019, DCF was required to establish a working group to gather data and issue a report on or before June 30, 2019, related to the impact of 2016 SB 367 on youth with offender behaviors entering into a foster care placement or already in foster care placement. DCF was also required to establish a working group during FY 2020 to continue the study of these "crossover youth," gather data as detailed in Section 87(h), and submit a report to select legislative committees on or before November 1, 2019.</p>      | Governor's line-item vetoes were overridden by the Legislature; bill effective on publication in the <i>Kansas Register</i> (June 4, 2019). |
| House Sub. for SB 25 (cont.)              | House Committee on Appropriations | <p><b>Required DCF Expenditures for FY 2020 (cont.): Study on Impact of 2016 SB 367 on Crossover (CO) Youth.</b> DCF is to make expenditures for this study, specifically studying youth at risk of being placed in foster care due in whole or in part to conduct that has resulted or could result in juvenile offender allegations, provided DCF studies certain topics: numbers and demographics of CO youth and the types and natures of calls to law enforcement, both compared to the broader juvenile offender population; numbers and nature of alleged offender behaviors of CO youth taken into custody by law enforcement pursuant to KSA 38-2330(d)(1) and of CO youth taken for intake and assessment pursuant to KSA 38- 2330(c)(1)(B); release and referral determinations (including rates of detention) from intake and assessment process for CO youth alleged to have engaged in behavior that may cause injury to self or others or damage to property and youth who may pose a risk to public safety; use of detention risk assessment override for CO youth; numbers of CO youth receiving immediate intervention services, evidence based services, or other corrections interventions designed to reduce the likelihood of reoffending, and the nature of the programs and services offered and outcomes achieved; any other juvenile offender information routinely captured by the Kansas Department of Corrections (KDOC) as defined in KSA 38-2325(c), disaggregated for the CO youth population; information on the types and classifications of placements used by CO youth placed in foster care; information on placement stability of CO youth placed in foster care; use of psychiatric residential treatment facilities by CO youth, including waitlist data; any other reportable event information routinely captured by the KDOC as defined in KSA 38-2325(e), disaggregated for the CO youth population; gaps in available corrections interventions for CO youth who are placed at home; gaps in available corrections interventions for CO youth placed in foster care; and other matters relating to the impact of 2016 SB 367 on youth at risk of being placed or placed in foster care; and any other topics designated by the working group.</p> <p>The bill requires DCF to establish a working group to assist with the production, data collection, and analysis of the report that consists of the following members, each appointed by the respective appointing authority, on or before July 15, 2019: (1) the Secretary of Corrections or the Secretary's designee; (2) the Secretary for Children and Families or the Secretary's designee; (3) one member appointed by Saint Francis Ministries; (4) one member appointed by KVC Health Systems; (5) one member appointed by the Association of Community Mental Health Centers of Kansas; (6) one member appointed by the Kansas Sheriffs Association; (7) one member appointed by the Kansas District Judges Association; (8) one member appointed by the Kansas Association of Court Services Officers; (9) one member appointed by the Kansas County and District Attorneys Association; (10) one member appointed by the Office of Judicial Administration with the Kansas Judicial Branch; and (11) one member appointed by the Kansas Association of Chiefs of Police. DCF is required to submit a report on the findings of the study to the Senate Committees on Ways and Means and Judiciary; the House Committees on Appropriations, Corrections and Juvenile Justice, and Judiciary; and the Joint Committee on Corrections and Juvenile Justice Oversight on or before November 1, 2019.</p> | Governor's line-item vetoes were overridden by the Legislature; bill effective on publication in the <i>Kansas Register</i> (June 4, 2019). |

**2019-2020 Kansas Child Welfare-Related Legislation  
Special Committee on Foster Care Oversight**

|         |   |  |  |
|---------|---|--|--|
| SB 28   | Senate Committee on Financial Institutions and Insurance                          | The bill, among other things, creates and amends law related to possession of certain cannabidiol (CBD) treatment preparations. The bill creates "Claire and Lola's Law," which prohibits state agencies and political subdivisions from initiating child removal proceedings or child protection actions or proceedings based solely upon the parent's or child's possession or use of CBD treatment preparation in accordance with the affirmative defense established by the bill. The bill amends the crime of unlawful possession of controlled substances to provide an affirmative defense to a prosecution of such crime arising out of a person's possession of any CBD treatment preparation if the person has a debilitating medical condition or is the parent or guardian of a minor child with such condition; is possessing a CBD treatment preparation being used to treat such condition; and has simultaneous possession of a letter that meets the requirements established in the bill. The bill defines "debilitating medical condition" as a medically diagnosed chronic disease or medical condition causing a serious impairment of strength or ability to function, including one that produces seizures, for which the patient is under current and active treatment by a physician licensed to practice medicine and surgery in Kansas. "Cannabidiol treatment preparation" is defined to mean an oil containing CBD and tetrahydrocannabinol (THC) and having a THC concentration of no more than 5 percent relative to the CBD concentration in the preparation verified through testing by a third-party, independent laboratory.  | Approved by Governor; effective July 1, 2019.  |
| SB 66   | Committee on Financial Institutions and Insurance                                 | The bill adjusted funding in FY 2020 and appropriated funding for FY 2021 for state agencies.<br><b>FY 2020 and FY 2021 Funding for Human Services Consensus Caseload Estimates:</b> The bill includes funding adjustments reflecting the fall human services consensus caseload estimates.<br><b>FY 2020 Budget:</b> The FY 2020 approved budget for the DCF was \$752 million, including \$335.8 million from the SGF. The approved budget included 16.0 FTE positions above the FY 2019 actual number, which were approved by the 2019 Legislature.<br><b>FY 2021 Budget:</b> The FY 2021 approved budget for DCF is \$764.8 million, including \$349.5 million from the SGF. This includes enhancements totaling \$17.5 million for expanding the adoption assistance subsidy, increased Prevention and Protection Services staff in DCF Service Centers (10.0 FTE), development of a new Comprehensive Child Welfare Information System, additional FFPSA grants and case management staff (8.0 FTE), and Office of Information Technology Services modernization initiative data center as a service.<br><b>Executive Reorganization Order (ERO) No. 44.</b> The Legislature disapproved ERO No. 44 (see H.R. 6032), which recommended the creation of the Department of Human Services, and deleted \$2.1 billion, including \$888.1 million from the SGF, and 304.4 FTE positions, to reflect the shifting of expenditures and funds to the Kansas Department for Aging and Disability Services and KDOC for FY 2021. The deletion of \$888.1 million from the State General Fund includes \$539,000 from the Evidence Based Juvenile Programs account, which was moved from DCF with the KDOC expenditures and funds. | Approved by Governor; effective March 27, 2020.  |
| SB 77   | Senate Committee on Judiciary   | The bill creates law in the Revised Kansas Code for Care of Children (CINC Code); defines a "child with sexual behavior problems" to mean a person under 18 years of age who has allegedly committed sexual abuse against another person under 18 years of age; and requires DCF to take certain actions when reports of child abuse or neglect are received, the subject of such report is a child with sexual behavior problems, and DCF determines a joint investigation with law enforcement is required in accordance with the CINC Code. Under such circumstances, DCF must immediately provide a referral to a child advocacy center or other mental health provider and, as needed, offer additional services to the child and the child's family. Such services must be voluntary, unless DCF determines there will be a high risk of future sexual behavior problems by the child if the child or family refuses services. The bill also requires DCF to document attempts to provide voluntary services, reasons the services are important to reduce the risk of future sexual behavior problems by the child, whether services are accepted and provided, and the outcome for the child and family. The bill specifies none of its provisions prohibit any action or investigation by DCF otherwise authorized by law.  | Approved by Governor; effective July 1, 2019.  |
| HB 2103 | House Committee on Children and Seniors at the request of Representative Mastroni | The bill amends the CINC Code and enacts statutory provisions to enable the State to meet the requirements of the federal FFPSA. (Note: The FFPSA allows for an enhanced federal match rate toward the use of Social Security Act Title IV-E funds for certain child welfare system evidence-based prevention services and programs beginning October 1, 2019.) The bill defines a qualified residential treatment program (QRTP), establishes notice and hearing requirements when a child is placed in a QRTP, requires certain action to be taken by the court when QRTP placement occurs, and places additional documentation requirements on the court in a permanency hearing involving a child placed in a QRTP. Further, the bill requires a CINC petition to have an attached copy of any existing prevention plan for a child. The bill reconciles different versions of the statute resulting from changes made in 2018 in the definition of a secure facility to exclude a juvenile detention facility.  | Approved by Governor; effective July 1, 2019.  |
| HB 2290 | House Committee on Judiciary at the request of the Attorney General's Office      | The bill combines language from various bills related to state agency operations. Provisions relevant to the child welfare system include requiring the Kansas Attorney General to appoint a Kansas Youth Suicide Prevention Coordinator and additional support staff; and authorizing certain businesses or organizations that provide care to children, the elderly, or individuals with disabilities to require state and national criminal history record checks of employed and volunteer providers who have unsupervised access to children, the elderly, or individuals with disabilities. These entities may request the Kansas Bureau of Investigation (KBI) to conduct the record checks and requires the KBI to release all records of a person's adult convictions and diversions to the requesting entity. The bill outlines the information and documentation that must be provided with a request and requires local and state law enforcement officers and agencies to assist entities with taking and processing fingerprints.  | Approved by Governor; effective on publication in the <i>Kansas Register</i> (May 30, 2019). |

**2019-2020 Kansas Child Welfare-Related Legislation  
Special Committee on Foster Care Oversight**

| Introduced Child Welfare-Related Legislation |  |   |  |
|--|--|---|--|
| Bill   | Original Sponsor   | Bill Summary  | Status   |
| SB 6   | Senator Faust-Goudeau  | The bill would require DCF to collaborate with community partners and stakeholders to jointly develop a plan for implementation of a core set of performance-based contracts to provide an array of evidence-based prevention and protection and early intervention services for families who are at risk for an out-of-home placement or have a child in out-of-home care and for children who are awaiting adoption. The bill would set out the requirements for the plan. DCF would be required to report to the Governor, the House Committee on Children and Seniors, and the Senate Committee on Public Health and Welfare by January 31, 2020, with an implementation plan to begin July 1, 2020. DCF would be required to provide a status update and recommendations for continued progress to the Governor and Legislature by January 31, 2021. By January 31, 2021, DCF would be required to develop and submit to the Governor and Legislature a proposal for a reinvestment of savings from reduced foster care caseloads into evidence-based prevention and early intervention programs designed to prevent the need for or reduce the duration of foster care placements.  | Died in Senate Committee on Public Health and Welfare; no hearing.                   |
| SB 12  | Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight | The bill would make changes to eligibility requirements and limitations for public assistance programs administered by DCF (TANF program).  | Died in Senate Committee on Public Health and Welfare; no hearing.                   |
| SB 37  | Senator Holland  | The bill would add duly ordained ministers of religion and employees of or volunteers for a religious organization to those persons required to promptly report if they have reason to suspect a child has been harmed as a result of physical, mental, or emotional abuse or neglect or sexual abuse. Penitential communication privilege as described in KSA 60-429, absent any law to the contrary, would not apply to the reports required by the bill.   | Died in Senate Committee on Federal and State Affairs; no hearing.                   |
| SB 108                                       | Senate Committee on Judiciary  | The bill would amend the penalty for the crime of involuntary manslaughter to raise it from a severity level 5 to a severity level 3 person felony if the victim is under six years of age. The bill would also amend the penalty for the crime of abuse of a child to raise it from a severity level 5 to a severity level 4 person felony if the victim is under six years of age. The bill would state these provisions would be known as "Mireya's Law." Additionally, the bill would amend the statute setting forth a nonexclusive list of mitigating factors that may be considered by a sentencing court in determining whether substantial and compelling reasons for a departure sentence exist. Specifically, the bill would amend a mitigating factor that may be applied when the victim was an aggressor or participant in the criminal conduct associated with the crime of conviction, to prohibit the application of this factor to a sexually violent crime or to electronic solicitation, when the victim is less than 14 years of age and the offender is at least 18 years of age, or the offender hires any person by giving, or offering to or agreeing to give, anything of value to the person to engage in an unlawful sex act. "Sexually violent crime" is defined in continuing law.  | *Enacted in SB 18. Died in House Committee on Judiciary; no hearing.                 |
| SB 122                                       | Senate Committee on Public Health and Welfare  | The bill would require the Kansas Department of Health and Environment (KDHE) to contract with one non-profit managed care organization (MCO) to administer state Medicaid services using a capitated managed care delivery system for the following mandatory enrollees for state Medicaid services: (1) any child under the age of 18 placed away from parents or guardians for whom DCF has placement and care responsibility; (2) any person age 18 to 26 who met the description in (1) immediately prior to reaching 18 years of age; and (3) any child meeting the description in (1) who was subsequently adopted pursuant to the revised CINC Code. Among other services, the non-profit MCO would be required to: provide and coordinate services that promote employment, housing, education, food security, transportation, transition to adulthood, and other determinants of health; use a money-follows-the-person model for covered persons receiving state Medicaid services and educational services described in section 2 of the bill; coordinate for provision of and reimbursement for educational services in section 2 of the bill, including coordination to ensure students are enrolled in academic instruction that leads to graduation; coordinate with DCF and enrollee caregivers (including kinship care and foster care placement caregivers) and also coordinate with the judicial system regarding proceedings under the CINC Code; and implement a psychiatric residential treatment facility (PRTF) discharge policy. The PRTF discharge policy would require that, if an enrollee is discharged from a PRTF as a result of the MCO's determination that such treatment is no longer a medical necessity, the PRTF and the MCO would be required to coordinate with interested parties and determine an appropriate placement and services for the enrollee within three business days.<br><br>The bill would also require the State Board of Education (BOE) to provide the population being served by the non-profit MCO, who are also attending school in grades 9 through 12, with an Internet-based delivery system for academic instruction and support as detailed in the bill. The BOE would be allowed to contract with one or more organizations to provide the Internet-based delivery system. The system would be phased in over subsequent school years for three school districts as follows: USD 501 in Topeka (2020-2021), USD 259 in Wichita (2021-2022), and USD 500 in Kansas City (2022-2023). | Died in Senate Committee on Public Health and Welfare; hearing on February 20, 2019. |
| SB 162                                       | Senate Committee on Public Health and Welfare at the request of Senator Baumgardner                | The bill would require a foster care case management contractor (contractor) under contract with DCF to notify DCF within an established time frame whenever a child in foster care has gone missing or spent any overnight period in a facility under the control of the contractor. Within specific time frames of receipt of a contractor's notice, DCF would be required to notify the Governor, each member of the Legislature, and the official newspaper of the county where a child went missing, if any, or in a newspaper of general circulation in such county. The bill would address the information to be contained in a contractor's report to DCF and the subsequent notice provided by DCF to the specified parties. DCF would be required to assess a \$500 fine against a contractor for each day the contractor fails to report as required in the bill. The assessed fines received by DCF would be deposited in the SGF. DCF would be authorized to adopt rules and regulations as necessary to implement and administer the provisions of the bill.  | Died in House Committee on Children and Seniors; hearing on March 18, 2019.          |

**2019-2020 Kansas Child Welfare-Related Legislation  
Special Committee on Foster Care Oversight**

|         |  |  |  |
|---------|--|--|--|
| SB 166  | Senate Committee on Judiciary  | The bill would amend the eligibility requirements for the Grandparents as Caregivers program (Program) to reduce the grandparent's age requirement from 50 to 40 years of age and increase the annual household income threshold from less than 130 percent to 300 percent of FPL. The bill would require DCF, subject to appropriations, to offer parenting skills training to grandparents in the Program at no charge. The bill would also require children cared for under the Program to be deemed and certified as foster children for the purpose of receiving free and reduced-price school lunches.   | Died in Senate Committee on Judiciary; hearing on February 21, 2019.                                     |
| SB 195  | Senate Committee on Public Health and Welfare  | The bill would establish the Kansas Safe Access Act (Act) to address the use of cannabis by persons with medical conditions. The Act would include a provision establishing that the presence of cannabinoid components or metabolites in a person's bodily fluids, nor conduct related to the medical use of cannabis by a custodial or noncustodial parent, grandparent, pregnant woman, breastfeeding mother, legal guardian, or other person charged with the wellbeing of a child or infant, would not form the sole or primary basis for any action or proceeding by a child welfare agency, family or juvenile court because their child, or ward, is a medical cannabis patient, or a newborn or child of a breastfeeding mother has presence of cannabinoids because the mother is a medical cannabis patient. This provision would apply only to conduct in compliance with the Act.   | Died in Senate Committee on Public Health and Welfare; no hearing.                                       |
| SB 211  | Senate Committee on Federal and State Affairs  | The bill would require the Kansas Attorney General to appoint a Kansas Youth Suicide Prevention Coordinator.   | <i>*Enacted in HB 2290.</i><br>Died in Senate Committee on Education; hearing on March 18, 2019.         |
| SB 214  | Senate Committee on Federal and State Affairs  | The bill would add exceptions relating to the confidentiality of State Child Death Review Board (Board) documents under specific circumstances. Exceptions to be added would include allowing for the disclosure of information and records to any member of the Legislature or legislative committee that has responsibility of the enabling or appropriating legislation, if the member or committee is carrying out its official functions, recesses into a closed or executive meeting, and has taken appropriate steps to preserve its privacy; any law enforcement agency of the state or any political subdivision thereof if the Board determines that the information and records were not previously available for the investigation of the cause of the child's death and the cause of death was from abuse or neglect; and any county or district attorney, if the Board determines the information and records were not previously available for the prosecution of any crimes related to the cause of a child's death and the cause of death was from abuse or neglect.        | Died in Senate Committee on Judiciary; hearing on March 19, 2019.  |
| SB 215  | Senate Committee on Federal and State Affairs  | The bill would increase penalties for domestic battery and amend the crime of child endangerment to include committing an act of domestic battery or aggravated domestic battery, where the person knows or reasonably should know a child under the age of 18 is present.   | Died in Senate Committee on Judiciary; hearing on January 22, 2020.                                      |
| SB 218  | Senate Committee on Assessment and Taxation  | The bill would amend law related to mandated reports of child abuse to add duly ordained ministers of religion to the list of persons required to report suspected child abuse. The bill would specifically state ordained ministers would not be required to violate penitential communication privilege to make such a report. ( <i>Note</i> : Continuing law requires listed persons to make a report when such person has reason to suspect that a child has been harmed as a result of physical, mental, emotional, or sexual abuse, or neglect. Willful and knowing failure to make a required report is a class B misdemeanor.)   | Died in House Committee on Federal and State Affairs; hearing March 18 and March 19, 2020, canceled.     |
| SB 227  | Senate Committee on Federal and State Affairs  | The bill would add provisions declaring victims of human trafficking, aggravated human trafficking, or commercial sexual exploitation of a child would not be guilty of crimes they committed, other than murder or voluntary manslaughter, when performed under the compulsion or threat of imminent infliction of death or great bodily harm that such persons reasonably believed would be inflicted on them or upon their spouse, parent, child, brother, or sister. The persons would be required to prove their status as a victim at the time of the conduct by a preponderance of the evidence. The defense would not be available to persons 18 years of age or older who intentionally or recklessly place themselves in a situation in which they would be subjected to compulsion or threat. The bill would also make changes to the provisions for expungement of adult and juvenile offenses committed by such victims and to the requirement for registration under the Kansas Offender Registration Act by such victims who were under the age of 18 at the time of the act. | Died in Senate Committee on Judiciary; no hearing.   |
| HB 2025 | Representative Capps   | The bill would add persons who have filed a petition for adoption, while such a petition is pending, to the definition of an interested party in the CINC Code. Such person would be an interested party in a CINC proceeding, with the participatory right of parties, except that the court could restrict those rights if the court finds it would be in the best interests of the child. However, the bill would provide that such persons may not be prevented from attending the proceedings, having access to the child's official file in the court records, or making a statement to the court.   | Died in House Committee on Children and Seniors; no hearing.   |
| HB 2094 | House Committee on Federal and State Affairs at the request of Representative Barker | After receipt by DCF of a report of child abuse or neglect where the subject of the report is a child with problem sexual behavior and DCF determines a joint investigation with law enforcement is required, the bill would require DCF to immediately offer counseling and additional services as needed to the child with problem sexual behavior and the child's family. The services would be voluntary, unless DCF determines a high risk of future sexual abuse by the child with the problem sexual behavior exists if the child or the child's family refuses to accept the services. DCF would be required to document the offers made to provide voluntary services, the reasons the services are important to reduce the risk of future sexual abuse by the child, whether services were accepted and provided, and the outcome for the child and family.  | <i>*See SB 77.</i><br>Died in House Committee on Federal and State Affairs; hearing on February 5, 2019. |

**2019-2020 Kansas Child Welfare-Related Legislation  
Special Committee on Foster Care Oversight**

|         |  |   |  |
|---------|--|---|--|
| HB 2157 | House Committee on Children and Seniors at the request of Representative Ousley                            | The bill would remove certain statutory provisions related to the Hope, Opportunity and Prosperity for Everyone (HOPE) Act implemented in FY 2013, which placed limits on TANF cash assistance provided through DCF.  | Died in House Committee on Health and Human Services; no hearing.  |
| HB 2164 | Representative Ousley  | The bill would repeal the Adoption Protection Act (Act), which states, notwithstanding any other provision of state law and to the extent allowed by federal law, no child placement agency (CPA), as defined by the bill, shall be required to perform, assist, counsel, recommend, consent to, refer, or otherwise participate in any placement of a child for foster care or adoption when the proposed placement of such child violates such CPA's sincerely held religious beliefs. The Act also prohibits taking certain actions against a CPA solely because of the CPA's objection to providing services on the grounds of religious beliefs. The Act requires the CPA's sincerely held religious beliefs to be described in the CPA's organizing documents, written policies, or such other written document approved by the governing body of the CPA. The provisions of the bill do not apply to any entity while the entity has a contract with DCF as a case management contractor.  | Died in House Committee on Federal and State Affairs; no hearing.  |
| HB 2187 | House Committee on Children and Seniors at the request of Representative Ousley                            | The bill would establish the Office of the Child Advocate for Children's Protection and Services (Office) within the Department of Administration and prescribe the duties, powers, and functions of the Office. The purpose of the Office would be to assure children receive adequate protection and care through services offered by DCF and KDOC.   | Died in House Committee on Children and Seniors; February 21, 2019, hearing canceled; February 24, 2020, hearing canceled; hearing on February 20, 2020. |
| HB 2242 | House Committee on Judiciary at the request of Representative Ousley                                       | The bill would address requirements for relaying reports concerning abuse, neglect, or exploitation of certain individuals to DCF and law enforcement agencies. With regard to children, the bill would require a law enforcement agency to relay any report of child abuse (physical, mental, emotional, or sexual abuse) or neglect received and any investigation initiated by law enforcement, when DCF was not open, to DCF in paper or electronic format, or a combination of both. If a second or subsequent report of suspected abuse or neglect concerning the same child is received by the Secretary for Children and Families (Secretary), the Secretary would be required to relay the report and all previous reports of suspected abuse or neglect concerning the child via paper or electronic format, or a combination of both, to the appropriate law enforcement agency within six hours, during normal working days, of receiving such report or reports. When a report of child abuse or neglect rises to the level of severity to statutorily require a joint investigation by DCF and law enforcement, DCF would be required to relay the report and any previous reports concerning the same child to the appropriate law enforcement agency via paper or electronic format, or a combination of both, within six hours, during normal working days, of receiving such report or reports. | Died in House Committee on Judiciary; no hearing.  |
| HB 2244 | House Committee on Judiciary at the request of Representative Schreiber                                    | The bill would create and amend law related to possession of CBD treatment preparations. In addition to amendments to criminal law, the bill would create "Claire and Lola's Law," which would prohibit state agencies and political subdivisions from initiating child removal proceedings or child protection actions or proceedings based solely upon the parent's or child's possession or use of CBD treatment preparation, as defined in the bill.  | <i>*Enacted in SB 28.</i><br>Died on Senate General Orders.<br>In Senate Committee on Judiciary; no hearing.   |
| HB 2331 | House Committee on Judiciary at the request of Representative Schreiber                                    | The bill would amend law related to mandated reports of child abuse to add duly ordained ministers of religion employed by a religious organization to the list of persons required to report suspected child abuse or neglect. The bill would specifically state ordained ministers would not be required to violate penitential communication privilege to make such a report, unless there is an ongoing risk of abuse or neglect of the victim or of another child. (Note: Continuing law requires listed persons to make a report when such person has reason to suspect that a child has been harmed as a result of physical, mental, emotional, or sexual abuse, or neglect.)  | Died in House Committee on Judiciary; no hearing.  |
| HB 2333 | House Committee on Judiciary at the request of Representative Highberger on behalf of Sharma Crawford, LLC | The bill would allow a court to order a final decree of adoption take effect on a date earlier than the date the judgment is filed, if the court finds it is in the best interests of the child to do so. Such earlier date could not be before a bona fide relationship was established between the child to be adopted and the prospective adoptive parent.   | Stricken from Calendar by Rule 1507.<br>House Committee on Judiciary; hearing January 29, 2020.  |

**2019-2020 Kansas Child Welfare-Related Legislation  
Special Committee on Foster Care Oversight**

|         |   |   |  |
|---------|---|---|--|
| HB 2359 | House Committee on Children and Seniors at the request of Representative Ousley         | The bill would establish the Kansas Child Welfare Services Delivery Task Force (Task Force). The Task Force would be required to determine the monetary costs required to adequately fund high-quality state child welfare services; evaluate the benefits and disadvantages of the privatization of state child welfare services; determine the best level of collaboration among private and public entities that are responsible for the delivery of state child welfare services; and submit reports to the Governor and the Legislature on a semi-annual basis, beginning February 1, 2020, concerning the findings of the Task Force and any recommended changes of state statutes, rules and regulations, policies, and programs related to such findings.   | Died in House Committee on Children and Seniors; no hearing.                         |
| HB 2360 | House Committee on Children and Seniors at the request of the KBI                       | The bill would authorize certain businesses or organizations that provide care to children, the elderly, or individuals with disabilities to require state and national criminal history record checks of employed and volunteer providers who have unsupervised access to children, the elderly, or individuals with disabilities. These entities would be permitted to request the KBI to conduct the record checks and would require the KBI to release all records of a person's adult convictions and diversions to the requesting entity. The bill would outline the information and documentation that must be provided with a request, and would require local and state law enforcement officers and agencies to assist entities with taking and processing fingerprints.  | *Enacted in HB 2290. Died in Committee on Judiciary; hearing on March 14, 2019.      |
| HB 2392 | House Committee on Federal and State Affairs at the request of Representative L. Ruiz   | The bill would amend law in the CINC Code concerning investigations for child abuse or neglect. (Note: The bill contains a whereas clause designating its provisions as Adrian's Law.) Concerning investigations related to reports of child abuse or neglect, the bill would require a child who was an alleged victim of abuse or neglect to be visually observed by the employee of DCF or the law enforcement agency investigating the report. The bill would provide, in the event of a joint investigation by DCF and law enforcement, both would be required to visually observe such child. All investigation reports required by the bill would have to include the date, time, and location of any such visual observation of a child.  | Died on Calendar; Committee on Federal and State Affairs; hearing on March 21, 2019. |
| HB 2394 | House Committee on Federal and State Affairs at the request of Representative Humphries | The bill would amend the definition of abuse of a child to mean knowingly causing physical contact with any child less than 18 years of age that results in or could reasonably be expected to result in physical injury to the child or recklessly causing bodily harm to any child less than 18 years of age. The bill would also create the crime of aggravated abuse of a child to be defined as knowingly torturing or cruelly beating any child less than 18 years of age; knowingly inflicting cruel and inhuman corporal punishment that results in bodily harm or when done in such a way that disfigurement or death could occur to a child less than 18 years of age; knowingly inflicting cruel and inhuman corporal punishment with a deadly weapon; knowingly using unreasonable physical restraint against a child less than 18 years of age through means including, but not limited to, caging or confining the child in any space not designed for human habitation or binding the child in a way that is not medically necessary; or recklessly causing great bodily harm, permanent disability, or disfigurement to any child less than 18 years of age.  | Died in House Committee on Judiciary; hearing on March 18, 2019.                     |
| HB 2403 | House Committee on Taxation at the request of Representative Concannon                  | The bill would establish the 11-member Joint Committee on Child Welfare System Oversight (Joint Committee). The bill would outline the topics for Joint Committee review, provide for the appointment and compensation of Joint Committee members, establish the frequency of meetings, require an annual report to designated House and Senate leadership positions and certain standing committees, allow for professional services, and authorize the Joint Committee to make recommendations and introduce legislation. The Joint Committee would be required to review the following topics: data on child maltreatment and demographic trends impacting the child welfare system; duties, responsibilities, and contributions of DCF, Kansas Department for Aging and Disability Services (KDADS), KDHE, KDOC, law enforcement, and the judicial branch that comprise and impact the child welfare system; programs, services, and benefits offered directly or through grants or contracts by DCF, KDADS, KDHE, KDOC, law enforcement, and the judicial branch that impact children and families at risk of becoming involved or involved in the child welfare system (including child maltreatment prevention; investigation of child maltreatment; in-home family services, including services offered through federal prevention and family preservation funding; and foster care, reintegration, and adoption services); trends, performance outcomes, activities, and improvement plans related to the federal child and family services reviews; reports from child welfare-related groups, including, but not limited to, citizen review panels, the Kansas Supreme Court Permanency Planning Task Force, the Kansas Children's Cabinet, and any interim study committees or work groups authorized by the Kansas Legislature; implementation of the 2019 Child Welfare System Task Force Report recommendations, including top-tier recommendations related to the child welfare workforce, data technology, access to behavioral healthcare for high-risk youth, and implementation of the federal FFPSA; reports on concerns received from the DCF child welfare ombudsman, customer service department, or similar office; opportunities for Kansas to strengthen the child welfare system through evidence-based interventions and services for children and families; and any other topic the Joint Committee deems necessary or appropriate. | Died on Calendar. Committee on Children and Seniors; hearing on March 22, 2019       |
| HB 2406 | House Committee on Federal and State Affairs at the request of Representative L. Ruiz   | The bill would require the relinquishment of all firearms in the custody, control, or possession of and any concealed carry license issued to an individual who is the defendant in a case involving a qualifying protection order, or a conviction for domestic battery, any misdemeanor for a domestic violence offense, or any felony offense described in KSA 2018 Supp. 21-6304(a) (crimes involving controlled substances). The bill would outline the relinquishment process. Additionally, the bill would define a qualifying order requiring the issuance of a relinquishment order to include situations where an order was issued restraining the defendant from harassing, stalking, or threatening a child of the defendant or of the defendant's intimate partner; and include a finding that the defendant represents a credible threat to the physical safety of a child, or by its terms prohibits the use, attempted use, or threatened use of physical force of a child that would reasonably be expected to cause bodily injury.  | Died in House Committee on Federal and State Affairs; no hearing.                    |
| HB 2510 | House Committee on Local Government   | This bill would have amended law related to the provision of free ACT exams for Kansas high school students, concurrent and dual enrollment for high school students, and the authority of healing arts school clinics to provide healing arts services. The bill also would have required the creation of a foster care report card, enacted the Kansas Promise Scholarship Act, and authorized the sale of land by Kansas State University in Saline County.  | *See EO 20-53 Vetoed by Governor.  |