Session of 2025

HOUSE BILL No. 2243

By Committee on Judiciary

Requested by Representative Proctor on behalf of Michelle Richart

2-4

AN ACT concerning children and minors; relating to children in need of care; creating a referral process to a military family advocacy program for cases involving children of military personnel; requiring the secretary for children and families to enter into a memorandum of understanding with military installations; amending K.S.A. 38-2230 and repealing the existing section.

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

New Section 1. (a) When the secretary for children and families makes a preliminary investigation pursuant to K.S.A. 38-2230, and amendments thereto, and the child who is the subject of the investigation has a parent or legal guardian who is military personnel at a military installation, the secretary shall make a referral to a military family advocacy program to provide the family with services that such program offers.

(b) The secretary shall enter into a memorandum of understanding with a military family advocacy program at each military installation in Kansas for the purpose of referring cases involving children with a parent or legal guardian who is military personnel at a military installation to such military family advocacy program for services. The memorandum of understanding shall include:

(1) A method for identifying whether a child has a parent or legal guardian who is military personnel at a military installation;

(2) the process for referring identified cases to the military family advocacy program;

(3) a requirement that the secretary notify the military family advocacy program when the secretary has referred a case involving a child with a parent or legal guardian who is military personnel to the county or district attorney for the purpose of filing a petition pursuant to K.S.A. 38-2233, and amendments thereto; and

(4) provisions that require compliance with confidentiality requirements in state and federal law.

(c) Nothing in this section shall prevent the secretary for children and families from taking action to protect the health and welfare of the child as necessary, including recommending to the county or district attorney that a

petition be filed pursuant to K.S.A. 38-2233, and amendments thereto.

(d) As used in this section, "military family advocacy program" means a program established by the United States department of defense and provided at a military installation to address child abuse and neglect in military families.

(e) This section shall be a part of and supplemental to the revised Kansas code for care of children.

Sec. 2. K.S.A. 38-2230 is hereby amended to read as follows: 38-2230. Whenever any person furnishes information to the secretary that a child appears to be a child in need of care, the department shall make a preliminary inquiry to determine whether the interests of the child require further action be taken. Whenever practicable, the inquiry shall include a preliminary investigation of the circumstances which were the subject of the information, including the home and environmental situation ~~and~~, the previous history of the child *and the military status of a parent or legal guardian of the child pursuant to section 1, and amendments thereto*. If reasonable grounds to believe abuse or neglect exist, immediate steps shall be taken to protect the health and welfare of the abused or neglected child as well as that of any other child under the same care who may be harmed by abuse or neglect. After the inquiry, if the secretary determines it is not otherwise possible to provide those services necessary to protect the interests of the child, the secretary shall recommend to the county or district attorney that a petition be filed.

Sec. 3. K.S.A. 38-2230 is hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.