

**HOUSE BILL No. 2440**

By Committee on Corrections and Juvenile Justice

1-12

1 AN ACT concerning crimes, criminal procedure and punishment; relating  
2 to reporting the death or disappearance of a child.

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

5 Section 1. (a) Failure to report the disappearance of a child is  
6 knowingly failing to report to a law enforcement officer or state  
7 investigative agency, as soon as practically possible, the disappearance of a  
8 child under the age of 13 by a parent, legal guardian or caretaker when:

9 (1) Such person knows or reasonably should know that such child has  
10 been missing for a period of 12 hours or more; or

11 (2) such person knows that such child is missing and has reason to  
12 believe or reasonably should have reason to believe that such child is in  
13 imminent danger of death or great bodily harm.

14 (b) Failure to report the death of a child is knowingly failing to report  
15 the death of a child as provided in subsection (a) of K.S.A. 22a-242, and  
16 amendments thereto, by a:

17 (1) Parent, legal guardian or caretaker; or

18 (2) person required to make a report as provided in subsection (c) of  
19 K.S.A. 38-2223, and amendments thereto, unless such person is a parent,  
20 legal guardian or caretaker.

21 (c) (1) Failure to report the disappearance of a child is a severity level  
22 8, nonperson felony.

23 (2) Failure to report the death of a child as defined in:

24 (A) Subsection (b)(1) is a severity level 8, nonperson felony; and

25 (B) subsection (b)(2) is a class B nonperson misdemeanor.

26 (d) As used in this section, "caretaker" means a person 16 years of  
27 age or older that has willfully assumed responsibility for the care of a child  
28 at the time of the child's disappearance.

29 Sec. 2. This act shall take effect and be in force from and after its  
30 publication in the statute book.

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