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MEMORANDUM

To: House Committee on Judiciary
From: Office of Revisor of Statutes
Date: March 13, 2024
Subject: Bill Brief on HB 2300

HB 2300 requires a duly ordained minister of religion to report certain abuse and neglect of children except when reporting would violate the penitential communication privilege.

The bill amends K.S.A. 38-2223, the statute that requires certain person to report certain abuse and neglect of children. Current law requires reporting when a person has reason to suspect that a child has been harmed as a result of physical, mental or emotional abuse or neglect or sexual abuse when such person is a (1) certain type of healthcare provider; (2) certain provider of mental health services; (3) teacher or other employee of an educational institution; (4) licensed child care provider or employee; (5) firefighter, emergency medical services personnel, law enforcement officer, juvenile intake and assessment worker, court services officer, community corrections officer, case manager or mediator; or (6) employee or volunteer for an organization that provides social services to pregnant teenagers.

This bill would add that duly ordained ministers of religion, as defined in K.S.A. 60-429 would have to make such reports of suspected harm, neglect or sexual abuse. A duly ordained minister of religion would not have to make such report if such minister suspects abuse or neglect based on a penitential communication and such report would violate the penitential communication privilege as provided in K.S.A. 60-429.