

SESSION OF 2018

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2587**

As Recommended by House Committee on  
Federal and State Affairs

**Brief\***

HB 2587 would create law related to children with “problem sexual behavior,” and would require the Department of Children and Families (DCF) to take certain actions when reports of child abuse or neglect are received and the subject of such report is a child with problem sexual behavior.

The bill would define a “child with problem sexual behavior” to mean a child under 14 years of age who has allegedly committed sexual abuse against another child.

After receiving a report of child abuse or neglect involving such a child, DCF would be required to assess service needs of the family based on information gathered from the family and other sources.

The bill would direct DCF to provide services that are voluntary, unless DCF determines there will be a high risk of abuse or neglect if the family refuses services. If DCF determines that the child is high risk, DCF would be required to identify services for the family.

The bill also would require DCF to document attempts to provide voluntary services and reasons the services are important to reduce the risk of future abuse or neglect of the child.

If the family continued to refuse voluntary services, or if it was determined the child needed to be protected, DCF

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\*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>

would be authorized to commence an investigation. DCF would be required to document, upon conclusion of the case, the outcome for the family, services provided, and the removal of risk to the child (if it existed).

The bill would specify it would not prohibit any action or investigation by DCF that was otherwise authorized by law.

## **Background**

The bill was introduced by the House Committee on Federal and State Affairs at the request of American Family Action of Kansas and Missouri. In the House Committee hearing, proponent testimony was provided by a representative of American Family Action of Kansas and Missouri. Neutral testimony was provided by DCF. No other testimony was provided.

According to the fiscal note prepared by the Division of Budget on the bill, as introduced, DCF estimates enactment of the bill would increase agency expenditures by \$2.1 million from all funding sources, including \$1.2 million from the State General Fund (SGF) in FY 2019. For FY 2020 and beyond, the agency estimates enactment of the bill would increase agency expenditures slightly above estimates for FY 2019.

DCF estimates an additional 4.0 FTE would need to be hired, increasing salary and wage expenditures by \$218,745 in FY 2019. The estimate would increase slightly in FY 2020 and FY 2021. The additional FTE would be used by the agency to monitor and track new cases being reviewed, documented, and investigated by the agency.

DCF estimated expenditures totaling \$1.9 million in each fiscal year for grants and assistance related to sex offender treatment. The agency noted in FY 2017, 433 instances of alleged sexual abuse against another child occurred and estimated a cost per referral totaling \$4,319 per case for a total of \$1,870,127. Those referrals would be for sex offender

treatment. Other operating expenditures, the agency estimates, would total \$31,524 in FY 2019. Those estimates would slightly decrease in FY 2020 and FY 2021. All costs estimated by the agency would become a part of the agency's base operating budget. In order for the agency to leverage federal funds, state funding would be required to fulfill federal maintenance of effort requirements. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2019 Governor's Budget Report*.