

## Senate Concurrent Resolution No. 1624

By Senator Holland

3-28

1 A PROPOSITION to amend article 15 of the constitution of the state of  
2 Kansas by adding a new section thereto, requiring that certain  
3 individuals be mandated reporters of child abuse and neglect.  
4

5 *WHEREAS, This proposition to amend the constitution of the state of*  
6 *Kansas shall be known and may be cited as the Stop Protecting*  
7 *Pedophile Priests Amendment.*

8 *Now, therefore:*

9 *Be it resolved by the Legislature of the State of Kansas, two-thirds of the*  
10 *members elected (or appointed) and qualified to the Senate and two-*  
11 *thirds of the members elected (or appointed) and qualified to the*  
12 *House of Representatives concurring therein:*

13 Section 1. The following proposition to amend the constitution of  
14 the state of Kansas shall be submitted to the qualified electors of the state  
15 for their approval or rejection: Article 15 of the constitution of the state of  
16 Kansas is hereby amended by adding a new section to read as follows:

17 **"§ 17. Mandated reporters of child abuse and neglect.**

18 (a) Any law that requires persons who have reason to suspect  
19 that a child has been harmed as a result of physical, mental or  
20 emotional abuse or neglect or sexual abuse to report such  
21 suspicions as provided by law shall include the following  
22 persons as mandated reporters:

23 (1) Any person providing medical care or treatment who  
24 is:

25 (A) Licensed by a state regulatory body to provide such  
26 services;

27 (B) engaged in postgraduate training programs for the  
28 provision of medical care or treatment approved by a state  
29 regulatory body; or

30 (C) the chief administrative officer of a medical care  
31 facility;

32 (2) any person providing mental health services who is  
33 licensed or registered by a state regulatory body to provide such  
34 services, including, but not limited to, psychologists,  
35 psychotherapists, social workers, marriage and family  
36 therapists, behavioral analysts and professional counselors;

1 (3) any person who is a teacher, school administrator or  
2 otherwise employed by an educational institution;

3 (4) any person providing child care services who is  
4 licensed by a state regulatory body to provide such services or  
5 the employees of any such person;

6 (5) any person who is a:

7 (A) Firefighter;

8 (B) emergency medical services personnel;

9 (C) law enforcement officer;

10 (D) juvenile intake and assessment worker;

11 (E) court services officer;

12 (F) community corrections officer; or

13 (G) case manager or mediator appointed as provided by  
14 law for alternative dispute resolution in family law matters  
15 involving children;

16 (6) any person employed by or who works as a volunteer  
17 for any organization, whether for profit or not-for-profit, that  
18 provides social services to pregnant teenagers, including, but  
19 not limited to, counseling, adoption services and pregnancy  
20 education and maintenance; and

21 (7) any person who is a duly ordained minister of religion  
22 or who is employed by or who works as a volunteer for any  
23 religious organization.

24 (b) No penitential communication privilege shall apply to  
25 any reporting requirements provided by law.

26 (c) As used in this section:

27 (1) "Duly ordained minister of religion" means a person  
28 who has been ordained, in accordance with the ceremonial ritual  
29 or discipline of a church, religious sect or organization  
30 established on the basis of a community of faith and belief,  
31 doctrines and practices of a religious character, to preach and to  
32 teach the doctrines of such church, sect or organization and to  
33 administer the rites and ceremonies thereof in public worship  
34 and who, as part of such person's regular and customary  
35 vocation, preaches and teaches the principles of religion and  
36 administers the ordinances of public worship as embodied in the  
37 creed or principles of such church, sect or organization; and

38 (2) "religious organization" means any organization,  
39 church, body of communicants or group gathered in common  
40 membership for mutual support and edification in piety,  
41 worship and religious observances or a society of individuals  
42 united for religious purposes at a definite place and such  
43 religious organization or society of individuals maintains an

1 established place of worship within this state, has a regular  
2 schedule of services or meetings at least on a weekly basis and  
3 has been determined to be organized and created as a bona fide  
4 religious organization."

5 Sec. 2. The following statement shall be printed on the ballot with  
6 the amendment as a whole:

7 "*Explanatory statement.* The Stop Protecting Pedophile Priests  
8 Amendment would require that any state law that requires  
9 individuals to report suspected child abuse or neglect include  
10 duly ordained ministers and employees and volunteers of  
11 religious organizations in addition to those people who are  
12 currently mandated reporters under state law.

13 "A vote for the Stop Protecting Pedophile Priests Amendment  
14 would require that any state law that requires individuals to  
15 report suspected child abuse or neglect include duly  
16 ordained ministers and employees and volunteers of  
17 religious organizations in addition to those people who are  
18 currently mandated reporters under state law.

19 "A vote against the Stop Protecting Pedophile Priests  
20 Amendment would make no change regarding any state law  
21 requiring the reporting of suspected child abuse or neglect."

22 Sec. 3. This resolution, if approved by two-thirds of the members  
23 elected (or appointed) and qualified to the Senate and two-thirds of the  
24 members elected (or appointed) and qualified to the House of  
25 Representatives, shall be entered on the journals, together with the yeas  
26 and nays. The secretary of state shall cause this resolution to be published  
27 as provided by law and shall cause the proposed amendment to be  
28 submitted to the electors of the state at the general election in November  
29 in the year 2022, unless a special election is called at a sooner date by  
30 concurrent resolution of the legislature, in which case such proposed  
31 amendment shall be submitted to the electors of the state at the special  
32 election.