

KANSAS OFFICE *of*
REVISOR *of* STATUTES

LEGISLATURE *of* THE STATE *of* KANSAS
Legislative Attorneys transforming ideas into legislation.

300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: House Committee on Judiciary
From: Office of Revisor of Statutes
Date: March 3, 2022
Subject: Bill Brief on SB 425

Senate Bill 425 amends multiple statutes related to the disclosure of records and information in child in need of care cases.

Senate Bill 425 adds a subsection to K.S.A. 38-2212, the statute that identifies who can access department for children and families confidential agency records. The proposed section directs the department to "disclose confidential agency records of a child alleged or adjudicated to be a child in need of care to the law enforcement agency investigating the alleged or substantiated report... regardless of the disposition of the report or investigation." The information or records to be included in a disclosure to a law enforcement agency shall be any information regarding such report or investigations, past reports of the child or the child's siblings and the perpetrator or alleged perpetrator. The Senate Committee on Public Health and Welfare added an amendment to add that the law enforcement agency shall also receive the names and contact information of the reporter or persons alleging abuse or neglect and case managers, investigators or contracting agency employees assigned to or investigating such report.

K.S.A. 38-2210 includes a reference to the required disclosure of confidential agency records in K.S.A. 38-2212(e).

Senate Bill 425 also adds "an investigating law enforcement agency" to the lists of persons with access to "the official file of a child in need of care proceeding pursuant to this code" in subsection (a) and "the social file of a child in need of care proceeding pursuant to this code" in subsection (b).

House Judiciary Committee
3-3-2022
Attachment 5