

**SENATE BILL No. 262**

By Committee on Federal and State Affairs

1-10

1 AN ACT concerning children; relating to grandparent custody, visitation  
2 and residency.

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

5 Section 1. (a) Notwithstanding the provisions of other statutes, when  
6 a child is removed from the custody of a parent, ~~any a~~ grandparent shall  
7 **may** receive ~~preference~~ **consideration** when evaluating what custody,  
8 visitation or residency arrangements are in the best interests of the child.

9 (b) In deciding whether to give custody to a grandparent, the court  
10 should be guided by the best interests of the child and should consider all  
11 relevant factors including, but not limited to, the following:

12 (1) The wishes of the parents, child and grandparent;

13 (2) the extent to which the grandparent has cared for, nurtured and  
14 supported the child;

15 (3) the intent and circumstances under which the child is placed with  
16 the grandparent, including whether domestic violence is a factor and  
17 whether the child is placed to allow the parent to seek work or attend  
18 school; and

19 (4) the physical and mental health of all individuals involved.

20 (c) ***The provisions of this section shall not apply to actions filed***  
21 ***under the Kansas adoption and relinquishment act, K.S.A. 59-2111, et***  
22 ***seq., and amendments thereto.***

23 (d) This section shall be part of and supplemental to the revised  
24 Kansas code for care of children.

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

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