As Amended by Senate Committee

Session of 2026

HOUSE BILL No. 2412

By Representative Collins

12-10

AN ACT concerning crimes, punishment and criminal procedure; increasing the penalties for the crimes of endangering a child and aggravated endangering a child if the child is less than six years of age; amending K.S.A. 2025 Supp. 21-5601 and repealing the existing section.

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

Section 1. K.S.A. 2025 Supp. 21-5601 is hereby amended to read as follows: 21-5601. (a) Endangering a child is knowingly and unreasonably causing or permitting a child under ~~the age of~~ 18 years *of age* to be placed in a situation in which the child's life, body or health may be endangered.

(b) Aggravated endangering a child is:

(1) Recklessly causing or permitting a child under ~~the age of~~ 18 years *of age* to be placed in a situation in which the child's life, body or health is endangered;

(2) causing or permitting such child to be in an environment where the person knows or reasonably should know that any person is distributing, possessing with intent to distribute, manufacturing or attempting to manufacture any methamphetamine or any fentanyl-related controlled substance; or

(3) causing or permitting such child to be in an environment where the person knows or reasonably should know that:

(A) Drug paraphernalia or volatile, toxic or flammable chemicals are stored or used for the purpose of manufacturing or attempting to manufacture any methamphetamine; or

(B) drug paraphernalia or toxic materials, compounds or mixtures are stored or used for the purpose of manufacturing or attempting to manufacture any fentanyl-related controlled substance.

(c) (1) Endangering a child is a*:*

(A) Class A person misdemeanor *if the child is at least six years of age but less than 18 years of age; and*

(B) severity level 9, person felony if the child is less than six years of age.

(2) *Except as provided in subsection (c)(3),* aggravated endangering a child is a:

(A) Severity level 9, person felony ~~except as provided in subsection~~

~~(c)(2)(B)~~ *if the child is at least six years of age but less than 18 years of age*; and

(B) *severity level 8, person felony if the child is less than six years of age.*

(3) Aggravated endangering a child when bodily harm is inflicted upon the child is a:

(A) Severity level 6, person felony ~~when bodily harm is inflicted upon the child~~ *if the child is at least six years of age but less than 18 years of age; and*

(B) severity level 5, person felony if the child is less than six years of age.

~~(3)~~*(4)* The sentence for a violation of aggravated endangering a child shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(d) Nothing in subsection (a) shall be construed to mean a child is endangered for the sole reason *that* the child's parent or guardian, in good faith, selects and depends upon spiritual means alone through prayer, in accordance with the tenets and practice of a recognized church or religious denomination, for the treatment or cure of disease or remedial care of such child.

(e) As used in this section:

(1) "Drug paraphernalia," "fentanyl-related controlled substance" and "manufacture" mean the same as defined in K.S.A. 21-5701, and amendments thereto; and

(2) "methamphetamine" means any substance designated in K.S.A. 65-4107(d)(3) or (f)(1), and amendments thereto, or any analog thereof.

Sec. 2. K.S.A. 2025 Supp. 21-5601 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the ~~statute book~~ ***Kansas register***.