

## SENATE BILL No. 293

By Senators Pyle, Barone, Betts, Brownlee, Bruce, Emler, Gilstrap, Huel-  
skamp, Jordan, Journey, Lynn, McGinn, Ostmeyer, Palmer, Petersen,  
Pine, Reitz, Steineger, Taddiken and Wilson

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11 AN ACT amending the revised Kansas code for care of children; con-  
12 cerning investigations of abuse or neglect; amending K.S.A. 2006  
13 Supp. 38-2230 and repealing the existing section.  
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15 *Be it enacted by the Legislature of the State of Kansas:*

16 Section 1. K.S.A. 2006 Supp. 38-2230 is hereby amended to read as  
17 follows: 38-2230. (a) Whenever any person furnishes information to the  
18 secretary that a child appears to be a child in need of care, the department  
19 shall make a preliminary inquiry to determine whether the interests of  
20 the child require further action be taken. Whenever practicable, the in-  
21 quiry shall include a preliminary investigation of the circumstances which  
22 were the subject of the information, including the home and environ-  
23 mental situation and the previous history of the child. If reasonable  
24 grounds to believe abuse or neglect exist, immediate steps shall be taken  
25 to protect the health and welfare of the abused or neglected child as well  
26 as that of any other child under the same care who may be harmed by  
27 abuse or neglect. After the inquiry, if the secretary determines it is not  
28 otherwise possible to provide those services necessary to protect the in-  
29 terests of the child, the secretary shall recommend to the county or dis-  
30 trict attorney that a petition be filed.

31 (b) *All representatives of the secretary shall, at the initial time of*  
32 *contact with an individual subject to a child abuse and neglect investi-*  
33 *gation, advise the individual of the specific allegations of abuse and ne-*  
34 *glect, including the specific acts and failures to act the individual was*  
35 *reported as having committed which give rise to the investigation.*

36 (c) *All representatives of the secretary who investigate reports of*  
37 *abuse and neglect shall be trained in an approved program in the statutory*  
38 *and constitutional rights of children and their families, which, based on*  
39 *experience in Kansas and other jurisdictions, may be affected during an*  
40 *investigation. The training curriculum shall include instruction on the*  
41 *rights of parents and children under the fourth amendment to the United*  
42 *States constitution. The office of the Kansas attorney general shall review*  
43 *the training program and curriculum and shall approve it if it is deemed*

1 *accurate and complete.*

2     Sec. 2. K.S.A. 2006 Supp. 38-2230 is hereby repealed.

3     Sec. 3. This act shall take effect and be in force from and after its

4 publication in the statute book.