

**CONFERENCE COMMITTEE REPORT BRIEF  
HOUSE BILL NO. 2075**

As Agreed to March 24, 2025

**Brief\***

HB 2075 would amend law concerning when law enforcement may take a child under 18 into custody for suspected abuse or neglect (police protective custody); add a procedure for law enforcement to report suspected abuse or neglect to the Secretary for Children and Families (Secretary) for the purposes of initiating an investigation; and would amend law concerning the frequency of, and requirements for, permanency hearings under the Revised Kansas Code for the Care of Children.

***Police Protective Custody***

The bill would require that before a child is taken into police protective custody due to a law enforcement officer's reasonable belief that the child will be harmed if not immediately removed, such officer must explore other options to separate the child from the source of serious harm before taking the child into custody.

The bill would require the Secretary to provide an electronic means of communication for a responding law enforcement officer to refer a child who may be a victim of abuse or neglect to the Secretary. Within 24 hours of receipt of a referral, the Secretary would be required to initiate an investigation and contact the persons who are subject to the investigation. Within 24 hours of the contact, the Secretary would be required to respond to the referring law enforcement agency with the status of the investigation.

***Permanency Hearings***

The bill would require a permanency hearing for a child in the custody of the Secretary to be held within nine months of a child's removal from the home and would require subsequent hearings be held every six months thereafter. [*Note: Current law requires a permanency hearing be held within 12 months of removal, and every 12 months thereafter.*]

In addition to entering certain findings related to permanency under continuing law, the bill would require the court to review with all the present parties, including parents and interested

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\*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <https://klrd.gov/>

parties, the current permanency goal, and on the record, make the following inquiries of each party at each permanency hearing:

- Whether the party participated in the most recent permanency plan. If the party did not participate, the court would be required to inquire regarding the reason for non-participation;
- Whether the party received a copy of such plan. If the party did not receive a copy, the court would be required to order the Secretary provide such copy within two business days of entering the order; and
- Whether the party has made reasonable efforts to achieve the permanency goal in place at the time of the hearing.

The bill would also make technical amendments.

### **Conference Committee Action**

The Conference Committee agreed to the provisions of HB 2075, as passed by the House, and further amended the bill to:

- Add a provision requiring law enforcement officers to explore options other than taking a child into custody;
- Add a provision requiring the Secretary to receive law enforcement referrals related to a child who may be the victim of abuse or neglect and provide an update to the referring law enforcement agency within 24 hours of making contact with the subjects of the investigation; and
- Require the court to review the involvement and receipt of written permanency plans by the parents and interested parties during each permanency hearing.

### **Background**

The bill was introduced by the House Committee on Child Welfare and Foster Care at the request of the Secretary.

### ***House Committee on Child Welfare and Foster Care***

In the House Committee hearing on January 29, 2025, **proponent** testimony was provided by the Kansas Child Advocate and representatives of the Children's Alliance of Kansas and Department for Children and Families (DCF). Conferees generally stated that a reduction in time between the first and second permanency hearing would decrease the time children are removed from their families and allow the foster care system to work toward its goal of reuniting families.

Written-only proponent testimony was provided by representatives of EmberHope Connections, Family Reunion USA, Kansas Appleseed Center for Law and Justice, and the Kansas Children's Service League.

The House Committee hearing was reopened on February 7, 2025, to allow the Committee to ask questions of proponents. A representative of the Office of Judicial Administration (OJA) also provided neutral testimony on the bill, noting concerns regarding the effectiveness of reducing the time between permanency hearings and the potential burden district courts may face if not given adequate time to implement the new hearing schedule.

No other testimony was provided.

The House Committee amended the bill to require subsequent permanency hearings be held every six months. [*Note: the Conference Committee retained this amendment.*]

### ***Senate Committee on Public Health and Welfare***

In the Senate Committee hearing, **proponent** testimony was provided by the Deputy Secretary for Children and Families. The proponent stated the purpose of the bill is to reduce the amount of time children are separated from family and kin while in the custody of the Secretary and placed in foster care out-of-home placement. The proponent also stated the goals of the bill are to achieve timely legal permanency and improve national performance for timely permanency for children in care.

Written-only proponent testimony was provided by the Kansas Child Advocate and representatives of the Children's Alliance of Kansas, Kansas Appleseed Center for Law and Justice, and Kansas Children's Service League.

No other testimony was provided.

The Senate Committee amended the bill to make technical changes. [*Note: the Conference Committee did not retain these amendments, but allowed discretion to the Revisor of Statutes to make technical amendments as necessary in drafting the Conference Committee Report.*]

### ***Senate Committee of the Whole***

The Senate Committee of the Whole amended the bill to require confirmation of the Secretary's reasonable efforts at reintegration prior to a permanency hearing and to require the court to make a finding at each permanency hearing regarding reasonable efforts made for reintegration. [*Note: the Conference Committee did not retain this amendment.*]

### **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, DCF estimates that 50.0 percent of children in foster care would have two fewer months in out-of-home placement if the bill is enacted. The Department indicates this would result in annual potential savings of \$7.0 million, including \$4.9 million from the State General Fund, beginning in FY 2026.

OJA indicates that enactment of the bill would have negligible fiscal effect on the Judiciary Branch. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2026 Governor's Budget Report*.

Permanency; permanency hearing; child in need of care; Revised Kansas Code for the Care of Children; reintegration; reasonable efforts; law enforcement; police protective custody; interested parties

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