

**SENATE BILL No. 262**

By Committee on Federal and State Affairs

1-10

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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~~ *{shall}* receive ~~preference~~ **consideration** when evaluating what  
8 custody, visitation or residency arrangements are in the best interests of the  
9 child.

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

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

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

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

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

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

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

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

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