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MEMORANDUM

To: Senate Committee on Judiciary
From: Jason Thompson, Senior Assistant Revisor of Statutes
Date: February 12, 2019
Subject: Bill Brief for SB 77

Senate Bill 77 requires the Department for Children and Families (DCF) to offer services to children with problem sexual behavior and to such child's family. The bill creates a new section of law and subsection (d) provides that the section will be added to the Revised Kansas Code for Care of Children. Subsection (b) defines "child with problem sexual behavior" as a person less than 18 years of age who has allegedly committed sexual abuse against another person less than 18 years of age.

Under current law, when a report of child abuse or neglect indicates that there has been sexual abuse of a child and that action may be required to protect the child, a joint investigation is then conducted by law enforcement and DCF. The bill provides in subsection (a)(1) that when such a report indicates that the sexual abuse was committed by a minor against another minor, DCF would be required, in addition to any other services required under the Revised Kansas Code for Care of Children, to offer counseling and, as needed, other services to the alleged child perpetrator and the alleged perpetrator's family.

Subsection (a)(2) provides that such services will be voluntary, unless DCF determines there will be a high risk of future sexual abuse by the alleged child perpetrator if the services are not accepted by either the alleged child perpetrator or the child's family. DCF would be required to document its offers to provide services, the importance of the services, whether the services were accepted and provided, and the outcome for the child and family.