

SESSION OF 2019

SUPPLEMENTAL NOTE ON SENATE BILL NO. 218

As Recommended by Senate Committee on
Federal and State Affairs

Brief*

SB 218 would amend law related to mandated reports of child abuse. The bill would add duly ordained ministers of religion to the list of persons required to report suspected child abuse. The bill would specifically state ordained ministers would not be required to violate penitential communication privilege to make such a report. Continuing law requires listed persons to make a report when such person has reason to suspect that a child has been harmed as a result of physical, mental, emotional, or sexual abuse, or neglect. Willful and knowing failure to make a required report is a Class B misdemeanor.

Background

SB 218 was requested for introduction by the Senate Committee on Assessment and Taxation at the request of Senator Holland. In the Senate Committee on Federal and State Affairs hearing, proponent testimony was provided by Senator Holland, the Kansas Catholic Conference, and private citizens. Written-only proponent testimony was provided by the Archdiocese of Kansas City in Kansas, the Catholic Diocese of Wichita, the Diocese of Dodge City, the Diocese of Salina, the Kansas-Oklahoma Conference of the United Church of Christ, and a private citizen.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Neutral testimony was provided by a minister at Saint John's Evangelical Lutheran Church. No other testimony was provided.

According to the fiscal note prepared by the Division of the Budget on the bill, the Kansas Department for Children and Families (DCF) estimates the bill would increase reports to the Kansas Protection Report Center by 2.0 percent annually and DCF would need to increase staffing proportionally. DCF estimates costs of \$128,274 for FY 2020 and \$126,603 for FY 2021 from the State General Fund (SGF) for salaries, fringe benefits, and operating costs for an additional 2.0 Protection Specialist FTE positions.

DCF assumes the bill would increase the workload of DCF child investigative staff, but the increase in investigations could be absorbed within current resources. Additionally, DCF states if clergy reporting would be separated from other reporting, unknown system updates would be necessary, but the precise fiscal effect could not be determined. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2020 Governor's Budget Report*.