

SENATE BILL No. 262

By Committee on Federal and State Affairs

1-10

Proposed Amendment to SB 262
For Committee on Federal & State Affairs
February 9, 2012
Prepared by: Jason B. Long, Senior Ass't Revisor

1 AN ACT concerning children; relating to grandparent custody, visitation
2 and residency.

3 *Be it enacted by the Legislature of the State of Kansas:*

4 Section 1. (a) Notwithstanding the provisions of other statutes, when
5 a child is removed from the custody of a parent, ~~any~~ ^{new} grandparent shall
6 receive preference when evaluating what custody, visitation or residency
7 arrangements are in the best interests of the child.

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

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

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

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

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

19 (c) This section shall be part of and supplemental to the revised
20 Kansas code for care of children.

21 Sec. 2. This act shall take effect and be in force from and after its
22 publication in the statute book.
23
24

consideration

(c) The provisions of this section shall not apply to actions filed under the Kansas adoption and relinquishment act, K.S.A. 59-2111 et seq., and amendments thereto. And reletter the remaining subsection accordingly