

SESSION OF 2015

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 159**

As Amended by Senate Committee on Judiciary

**Brief\***

SB 159 would amend the Revised Kansas Code for Care of Children to require a law enforcement officer to take a child under 18 years of age into custody when the officer has probable cause to believe there is a crime involving controlled substances occurring in the child's residence and the officer reasonably believes such crime threatens the safety of the child.

**Background**

The bill was introduced by the Senate Committee on Judiciary at the request of Senator Knox. In the Senate Committee, Senator Knox and a citizen testified in support of the bill. A representative of the Kansas Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs' Association provided neutral testimony. The Secretary for Children and Families provided written neutral testimony. There was no opponent testimony.

The Senate Committee adopted an amendment adding a probable cause requirement.

According to the fiscal note prepared by the Division of the Budget on the bill, the Department for Children and Families (DCF) indicates the bill could increase the number of children placed in protective custody and the custody of DCF. The DCF estimates 37 additional children would be removed, 23 of whom would be placed in foster care for an average

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\*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>

stay of 17 months. At an average cost for foster care of \$1,473 per month, these additional placements would increase DCF expenditures by \$406,548, including \$297,252 from the State General Fund (SGF), in FY 2016. The DCF also would incur expenditures of \$23,000 from the SGF for an estimated 200 additional children placed in an emergency shelter for one night, at a daily cost of \$115.

The Office of Judicial Administration indicates the bill could result in additional child in need of care case filings, requiring additional time spent by court staff. However, a precise fiscal effect cannot be determined. Any fiscal effect is not reflected in *The FY 2016 Governor's Budget Report*.