

HOUSE BILL No. 2539

By Committee on Children and Families

1-25

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 grandparent shall
7 receive preference when evaluating what custody, visitation or residency
8 arrangements are in the best interests of the child.

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

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

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

15 (3) the appropriateness, capability, willingness and availability of the
16 grandparent to care for the child;

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

21 (5) the physical and mental health of all individuals involved.

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

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

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