

1 AN ACT relating to the Employee Child Care Assistance Partnership Program.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 199.884 is amended to read as follows:

4 The cabinet, or its designated department, shall promulgate administrative regulations in
5 accordance with KRS Chapter 13A to effectuate the provisions of KRS 199.881 to
6 199.888, including:

- 7 (1) Creating a standardized agreement for employers, employees, and providers
8 wishing to participate in the program, to be completed and agreed to by each
9 respective party that includes:
- 10 (a) Name, physical location, size, and industry of the employer;
 - 11 (b) Name and phone number of the employer's point of contact;
 - 12 (c) Name and physical location of the child-care provider;
 - 13 (d) Name and phone number of the child-care provider's point of contact;
 - 14 (e) Name and home address of the employee;
 - 15 (f) Total contribution to be paid by the employer to the provider, either directly
16 or through a third-party vendor;
 - 17 (g) Total amount of the state match to be paid to the provider, either directly or
18 through a third-party vendor;
 - 19 (h) Duration of the contract, which shall not last beyond the end of the state's
20 fiscal year in any given year;
 - 21 (i) Frequency of the contribution to be made directly to the child-care provider in
22 accordance with the provider's established billing cycle; and
 - 23 (j) Demographic information of the employee;
- 24 (2) Establishing eligibility verification procedures for the following parties as a
25 prerequisite for the cabinet entering the agreement as a party and issuing a state
26 match:
- 27 (a) Employer's enrollment in the program;

- 1 (b) Employee's eligibility; and
- 2 (c) Child-care provider's eligibility;
- 3 (3) Collecting and verifying household income information from eligible employees
- 4 and determining the amount of the state match for which the employee is eligible in
- 5 accordance with KRS 199.885;
- 6 (4) Creating procedures for issuing a notice to all parties to the agreement of:
- 7 (a) Their enrollment in the program upon receiving and processing the contract
- 8 and determining eligibility; and
- 9 (b) Any changes to the application process that may affect reapplication for the
- 10 program;
- 11 (5) Compiling confidentiality protocols for the cabinet and its designated department or
- 12 departments to safeguard the personal information of participating employees,
- 13 employers, and child-care providers;
- 14 (6) Introducing reporting requirements for an employer or a child-care provider
- 15 reporting a lapse or nonpayment of contribution towards eligible child-care
- 16 services;
- 17 (7) Creating procedures for issuing and logging a state match to child-care providers
- 18 pursuant to the respective contract;
- 19 (8) Maintaining records of the fund in the fiscal year and all payments;
- 20 (9) Creating criteria for participant disqualification from the program;
- 21 (10) Establishing procedures for appeals hearings;~~and~~
- 22 (11) Establishing procedures for recouping state matches or portions of state matches
- 23 that result in overpayments to participating child-care providers; and
- 24 (12) Ensuring that the standardized agreement created in subsection (1) of this section
- 25 shall be:
- 26 (a) Accessible, viewable, and downloadable on the cabinet website; and
- 27 (b) Allowed to be submitted via first-class mail, email, or online portal.

1 ➔Section 2. KRS 620.140 is amended to read as follows:

2 (1) In determining the disposition of all cases brought on behalf of dependent,
3 neglected, or abused children, the juvenile session of the District Court, in the best
4 interest of the child, shall have but shall not be limited to the following
5 dispositional alternatives:

6 (a) Informal adjustment of the case by agreement, which may be entered into at
7 any time. Informal adjustment may include an agreed plan by which:

8 1. The parent or other person exercising custodial control or supervision
9 agrees that grounds exist for a finding of dependency, neglect, or abuse,
10 and agrees to the conditions of protective orders under paragraph (b) of
11 this subsection for a duration of up to one (1) year;

12 2. The action will be dismissed by the court, without hearing, at the end of
13 the period agreed upon if no motion is brought alleging a violation of a
14 protective order; and

15 3. If a motion is brought alleging a violation of a protective order, a
16 hearing will be held at which the parent or other person exercising
17 custodial control or supervision may contest the alleged violation, but
18 may not contest the original grounds for a finding of dependency,
19 neglect, or abuse. If a violation is found to have occurred, the court may
20 consider other dispositional alternatives pursuant to this section;

21 (b) Protective orders, such as the following:

22 1. Requiring the parent or any other person to abstain from any conduct
23 abusing, neglecting, or making the child dependent;

24 2. Placing the child in his or her own home under supervision of the
25 cabinet or its designee with services as determined to be appropriate by
26 the cabinet; and

27 3. Orders authorized by KRS 403.715 to 403.785 and by KRS Chapter

1 456;

2 (c) Removal of the child to the custody of an adult relative, fictive kin, other
 3 person, or child-caring facility or child-placing agency, taking into
 4 consideration the wishes of the parent or other person exercising custodial
 5 control or supervision. Before any child is committed to the cabinet or placed
 6 out of his or her home under the supervision of the cabinet, the court shall
 7 determine that reasonable efforts have been made by the court or the cabinet
 8 to prevent or eliminate the need for removal and that continuation in the home
 9 would be contrary to the welfare of the child. If a child is to be placed with an
 10 adult relative or fictive kin, the child, if able, parent, or other person
 11 exercising custodial control or supervision shall provide a list to the cabinet of
 12 possible persons to be considered;

13 (d) Commitment of the child to the custody of the cabinet for placement for an
 14 indeterminate period of time not to exceed his or her attainment of the age
 15 eighteen (18), unless the youth elects to extend his or her commitment beyond
 16 the age of eighteen (18) under paragraph (e) of this subsection. Beginning at
 17 least six (6) months prior to an eligible youth attaining the age of eighteen
 18 (18), the cabinet shall provide the eligible youth with education,
 19 encouragement, assistance, and support regarding the development of a
 20 transition plan, and inform the eligible youth of his or her right to extend
 21 commitment beyond the age of eighteen (18); or

22 (e) *For an eligible youth committed to or in the custody of the cabinet when he*
 23 *or she attains the age of eighteen (18),* extend or reinstate *the youth's*
 24 *commitment or custody*~~[an eligible youth's commitment]~~ up to the age of
 25 twenty-one (21) to receive transitional living support. The request shall be
 26 made by the youth prior to attaining twenty (20) years of age. A youth may
 27 opt in or out of extended commitment up to *three (3) times* ~~[two (2) times]~~

1 ~~prior to attaining twenty (20) years of age, with a ninety (90) day grace period~~
 2 ~~between the time he or she exits and then reenters custody so long as there is~~
 3 ~~documentation that his or her request was submitted prior to attaining twenty~~
 4 (20) years of age. The court may grant an extension or reinstatement of a
 5 youth's commitment or placement in the cabinet's custody even if the
 6 concurrence of the cabinet occurs after the youth attains twenty (20) years of
 7 age. Upon receipt of the request and with the concurrence of the cabinet, the
 8 court may authorize commitment up to the age of twenty-one (21).

9 (2) An order of temporary custody to the cabinet shall not be considered as a
 10 permissible dispositional alternative.

11 ➔SECTION 3. A NEW SECTION OF KRS 258.095 TO 258.500 IS CREATED
 12 TO READ AS FOLLOWS:

13 (1) The board shall provide comprehensive evidence-informed training courses for
 14 animal control officers on child abuse and neglect recognition and reporting that
 15 encompass child physical, sexual, and emotional abuse and neglect.

16 (2) The trainings may be provided in person or by utilizing currently available
 17 technology and shall cover, at a minimum, the following topics:

18 (a) Recognizing child physical, sexual, and emotional abuse and neglect;

19 (b) Reporting suspected child abuse and neglect in Kentucky as required by
 20 Section 4 of this Act and preparing the appropriate documentation;

21 (c) Responding to the child; and

22 (d) Understanding the response of child protective services.

23 (3) The trainings shall include a questionnaire or other basic assessment tool upon
 24 completion to document basic knowledge of training components.

25 (4) (a) All current animal control officers shall complete the training by January
 26 31, 2026.

27 (b) Animal control officers employed, appointed, or contracted with after

January 31, 2026, shall complete the training within one hundred twenty (120) days of being employed, appointed, or contracted.

➔Section 4. KRS 620.030 is amended to read as follows:

(1) Any person who knows or has reasonable cause to believe that a child is dependent, neglected, or abused shall immediately cause an oral or written report, including but not limited to electronic submissions, to be made to a local law enforcement agency or to the Department of Kentucky State Police, the cabinet or its designated representative, the Commonwealth's attorney, or the county attorney by telephone or otherwise. If the cabinet receives a report of abuse or neglect allegedly committed by a person other than a parent, guardian, fictive kin, person in a position of authority, person in a position of special trust, or person exercising custodial control or supervision, the cabinet shall refer the matter to the Commonwealth's attorney or the county attorney and the local law enforcement agency or the Department of Kentucky State Police. Nothing in this section shall relieve individuals of their obligations to report.

(2) (a) Any person, including but not limited to a physician, osteopathic physician, nurse, teacher, school personnel, social worker, coroner, medical examiner, child-caring personnel, resident, intern, chiropractor, dentist, optometrist, emergency medical technician, paramedic, health professional, mental health professional, peace officer, *animal control officer*, or any organization or agency for any of the above, who knows or has reasonable cause to believe that a child is dependent, neglected, or abused, regardless of whether the person believed to have caused the dependency, neglect, or abuse is a parent, guardian, fictive kin, person in a position of authority, person in a position of special trust, person exercising custodial control or supervision, or another person, or who has attended such child as a part of his or her professional duties, shall:

- 1 1. Immediately make an oral or written report, including but not limited to
- 2 electronic submissions, in accordance with subsection (1) of this section;
- 3 2. Immediately notify the supervisor of the institution, school, facility,
- 4 agency, or designated agent of the person in charge; and
- 5 3. If requested, in addition to the report required in subsection (1) or (3) of
- 6 this section, file with the local law enforcement agency or the
- 7 Department of Kentucky State Police, the cabinet or its designated
- 8 representative, the Commonwealth's attorney, or county attorney within
- 9 forty-eight (48) hours of the original report a written report, including
- 10 but not limited to electronic submissions, containing:
- 11 a. The names and addresses of the child and his or her parents or
- 12 other persons exercising custodial control or supervision;
- 13 b. The child's age;
- 14 c. The nature and extent of the child's alleged dependency, neglect,
- 15 or abuse, including any previous charges of dependency, neglect,
- 16 or abuse, to this child or his or her siblings;
- 17 d. The name and address of the person allegedly responsible for the
- 18 abuse or neglect; and
- 19 e. Any other information that the person making the report believes
- 20 may be helpful in the furtherance of the purpose of this section.
- 21 (b) Upon notification, the supervisor or the designated agent, if any, shall
- 22 facilitate the cooperation of the institution, school, facility, or agency with the
- 23 investigation of the report.
- 24 (c) Any person who knowingly causes intimidation, retaliation, or obstruction in
- 25 the investigation of the report shall be guilty of a Class A misdemeanor.
- 26 (d) This section shall not require more than one (1) report from any institution,
- 27 school, facility, or agency.

- 1 (3) Any person who knows or has reasonable cause to believe that a child is a victim of
 2 human trafficking as defined in KRS 529.010 shall immediately cause an oral or
 3 written report, including but not limited to electronic submissions, to be made to a
 4 local law enforcement agency or the Department of Kentucky State Police; or the
 5 cabinet or its designated representative; or the Commonwealth's attorney or the
 6 county attorney; by telephone or otherwise. This subsection shall apply regardless
 7 of whether the person believed to have caused the human trafficking of the child is
 8 a parent, guardian, fictive kin, person in a position of authority, person in a position
 9 of special trust, or person exercising custodial control or supervision.
- 10 (4) Any person who knows or has reasonable cause to believe that a child is a victim of
 11 female genital mutilation as defined in KRS 508.125 shall immediately cause an
 12 oral or written report, including but not limited to electronic submissions, to be
 13 made by telephone or otherwise to:
- 14 (a) A local law enforcement agency or the Department of Kentucky State Police;
 - 15 (b) The cabinet or its designated representative; or
 - 16 (c) The Commonwealth's attorney or the county attorney.
- 17 This subsection shall apply regardless of whether the person believed to have
 18 caused the female genital mutilation of the child is a parent, guardian, or person
 19 exercising custodial control or supervision.
- 20 (5) Neither the husband-wife nor any professional-client/patient privilege, except the
 21 attorney-client and clergy-penitent privilege, shall be a ground for refusing to report
 22 under this section or for excluding evidence regarding a dependent, neglected, or
 23 abused child or the cause thereof, in any judicial proceedings resulting from a report
 24 pursuant to this section. This subsection shall also apply in any criminal proceeding
 25 in District or Circuit Court regarding a dependent, neglected, or abused child.
- 26 (6) The cabinet shall establish and operate a statewide reporting system for the public
 27 to make reports of child dependency, neglect, and abuse via telephone call or

- 1 written report, including but not limited to electronic submissions. The statewide
2 reporting system shall operate a twenty-four (24) hour on-call response system that
3 includes but is not limited to a child abuse hotline for the receipt of emergency and
4 nonemergency reports of child dependency, neglect, and abuse during and after
5 normal office hours. The cabinet may use contract employees to operate the system.
- 6 (7) The cabinet upon request shall receive from any agency of the state or any other
7 agency, institution, or facility providing services to the child or his or her family,
8 such cooperation, assistance, and information as will enable the cabinet to fulfill its
9 responsibilities under KRS 620.030, 620.040, and 620.050.
- 10 (8) Nothing in this section shall limit the cabinet's investigatory authority under KRS
11 620.050 or any other obligation imposed by law.
- 12 (9) Any person who intentionally violates the provisions of this section shall be guilty
13 of a:
- 14 (a) Class B misdemeanor for the first offense;
15 (b) Class A misdemeanor for the second offense; and
16 (c) Class D felony for each subsequent offense.
- 17 ➔Section 5. Sections 3 and 4 of this Act may be cited as Kyan's Law.