



700 S. W. Jackson
Suite 300
Topeka, KS 66603-3796

Office of the State
Bank Commissioner

Phone: (785) 380-3939
Fax: (785) 371-1229
www.osbckansas.org

David L. Herndon, Bank Commissioner

Laura Kelly, Governor

**Testimony to the Senate Committee on Financial Institutions and Insurance
on SB 51
February 7, 2023**

The Office of the State Bank Commissioner (OSBC) appreciates the committee's introduction of our bill, SB 51, and we thank the Chairman for holding a hearing on the bill.

The OSBC is requesting an amendment to the TEFFI act that adds additional language necessary in order for us to receive criminal history records information from the Federal Bureau of Investigation. In furtherance of this goal, we are asking for new definitions for entities subject to a request for criminal history records requests, state and national criminal history record checks are to be confidential and not disclosable to a fiduciary financial institution, and that state or national criminal history record checks may not be disclosed except as authorized by the TEFFI act. We are also requested a few other changes that would assist with the background checks process. To match our current practices, we added that the commissioner may request and receive criminal history background information on behalf of the State Banking Board. We also included language that the State Banking Board and Commissioner can request state and national criminal history record check from private entities if we are unable to receive the criminal history background checks through the Federal Bureau of Investigation in case additional restrictions are imposed.

The OSBC spoke with several industry stakeholders in drafting the bill, and no opposition was noted. The OSBC would be able to use existing employees to carry out the requirements of this bill and would have a neutral fiscal impact.

We appreciate the committee's time today and I would be happy to stand for questions at the appropriate time.

Brock Roehler
General Counsel
Brock.Roehler@osbckansas.org
785-379-3892