

CORRECTED
SESSION OF 2018

SUPPLEMENTAL NOTE ON SENATE BILL NO. 295

As Recommended by Senate Committee on
Judiciary

Brief*

SB 295 would continue in existence the following exceptions to the Kansas Open Records Act (KORA):

- KSA 9-513c, concerning information or reports obtained and prepared by the State Bank Commissioner in the course of licensing or examining a person engaged in money transmission business (the bill would also remove an expiration provision in KSA 9-513c);
- KSA 25-2422, concerning the names of voters who have cast a ballot;
- KSA 39-709, concerning results of drug screenings administered under the cash assistance program;
- KSA 45-221(a)(26), concerning records of a utility or other public service pertaining to individually identifiable residential customers;
- KSA 45-221(a)(53), concerning records disclosing name or contact information for any person who is licensed to carry concealed handguns, enrolled in or completed any weapons training in order to be licensed, or has made application for such license under the Personal and Family Protection Act (PFPA);

*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>

- KSA 45-221(a)(54), concerning records of a utility related to cybersecurity threats, attacks, or general attempts to attack utility operations;
- KSA 65-6832 and KSA 65-6834, concerning protected health information;
- KSA 75-7c06, concerning records relating to licenses issued pursuant to the PFFPA; and
- KSA 75-7c20, concerning security plans adopted to exempt a State or municipal building from law stating the carrying of a concealed handgun shall not be prohibited in any public area of any State or municipal building.

Finally, the bill would amend three statutes within the Viatical Settlements Act of 2002 that were reviewed and continued in 2013 to remove specific expiration provisions.

Background

A sunset provision for all exceptions to KORA was added in 2000, requiring a review of existing exceptions within five years and of any new exception or substantial amendment to an exception by July 1 of the fifth year after enactment. Absent such review, they would expire. The law also required any exceptions continued after legislative review to be reviewed again five years later; however, 2013 HB 2012 modified the requirement so that exceptions would no longer be subject to review and expiration if the Legislature reviews and continues the exception during the 2013 Session or thereafter. In the Senate Committee on Judiciary hearing, staff presented an overview of the bill. A representative of the League of Kansas Municipalities appeared as a proponent of the bill. No other testimony was presented.

The fiscal note prepared by the Division of the Budget indicates enactment of the bill would have no fiscal effect.