

HOUSE BILL No. 2176

By Committee on Governmental Organization and Elections

1-26

9 AN ACT concerning certain investigations conducted by the Kansas bu-
10 reau of investigation; relating to the disclosure thereof; amending
11 K.S.A. 2004 Supp. 75-712 and repealing the existing section.
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13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 2004 Supp. 75-712 is hereby amended to read as
15 follows: 75-712. (a) It is the duty of the members of the bureau to make
16 full and complete investigations at the direction of the attorney general.
17 Each member of the bureau shall possess all powers and privileges which
18 are now or may be hereafter given to the sheriffs of Kansas.

19 (b) The bureau shall acquire, collect, classify and preserve criminal
20 identification and other crime records, and may exchange such criminal
21 identification records with the duly authorized officials of governmental
22 agencies, of states, cities and penal institutions.

23 (c) For purposes of carrying out the powers and duties of the bureau,
24 the director may request and accept grants or donations from any person,
25 firm, association or corporation or from the federal government or any
26 federal agency and may enter into contracts or other transactions with
27 any federal agency in connection therewith.

28 (d) The bureau, at the direction of the governor, shall conduct back-
29 ground investigations of gubernatorial appointees who are subject to con-
30 firmation by the senate of the state of Kansas and all judicial appoint-
31 ments. The bureau shall require the appointee to be fingerprinted. The
32 fingerprints shall be submitted to the bureau and to the federal bureau
33 of investigation for the identification of the appointee and to obtain crim-
34 inal history record information, including arrest and nonconviction data.
35 Background reports may include criminal intelligence information and
36 information relating to criminal and background investigations. *Unless*
37 *otherwise specifically provided by law*, information received pursuant to
38 this subsection shall be ~~confidential and shall not be disclosed except to~~
39 ~~the governor or members of the governor's staff as necessary to determine~~
40 ~~the appointee's qualifications~~ *subject to disclosure under the open records*
41 *law*.

42 (e) Reports of all investigations made by the members of the bureau
43 shall be made to the attorney general of Kansas.

- 1 Sec. 2. K.S.A. 2004 Supp. 75-712 is hereby repealed.
- 2 Sec. 3. This act shall take effect and be in force from and after its
- 3 publication in the statute book.