

SESSION OF 2007

**SUPPLEMENTAL NOTE ON  
SUBSTITUTE FOR HOUSE BILL NO. 2067**

As Further Amended by House Committee on  
Veterans, Military and Homeland Security

**Brief\***

Sub. for HB 2067 would authorize a criminal history records check for candidates and current employees with less than five years' tenure at the Kansas Commission on Veterans Affairs (KCVA). From the effective date of this act, the criminal history records check would be limited to those candidates or employees who are deemed to be in a sensitive position by the executive director of the KCVA or who interview claimants and provide information, advice and counseling to veterans, surviving spouses, and their dependents. The candidate or employee who would be subject to the criminal history records check would be entitled to written notice that the criminal history check is required and would be informed, in writing, if the information obtained in the criminal history records check disqualifies the candidate or current employee from employment. A conviction of dishonesty or violence would be a conviction which may disqualify a candidate or employee.

KCVA would be required to submit the candidate or employee's fingerprints to the Kansas Bureau of Investigation (KBI) and the Federal Bureau of Investigation (FBI) for the purpose of determining whether he or she has a criminal record.

Employees of the Kansas Soldiers' Home and the Kansas Veterans' Home would be excluded from the criminal history records check.

**Background**

The Committee reconsidered the bill and amended the bill by reinserting the requirement that the KCVA submit the candidate or employee's fingerprints to the FBI. The Committee concluded it was

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\*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>

necessary to submit the fingerprints to both the KBI and the FBI. Additionally, the Committee amended the bill by striking the requirement to destroy the criminal history record information used to disqualify a candidate or employee.

The major difference between the original HB 2067 and Sub. for HB 2067 is that the original bill applied to all employees of the KCVA, whereas the substitute bill applies to candidates and employees with less than five years' tenure with KCVA.

The proponents of the bill included George Webb, Director of the Kansas Commission on Veterans Affairs; and Ken Stodgell, Legislative Chairman of Veterans of Foreign Wars. They testified the impetus for this bill was the recent theft, in Baltimore, Maryland, of a laptop computer containing sensitive data on approximately 26.5 million veterans and military personnel. The theft caused them to evaluate the manner in which personal data is handled.

There was no testimony in opposition to the bill.

The fiscal note from the Division of Budget estimates it will cost \$875 (50 x \$17.50) to run criminal history records checks on the 50 existing employees of the KCVA, veterans cemeteries, and veteran service programs. With a turnover rate for the programs of 14.7 percent, the additional cost would be \$129 (50 x .147 x \$17.50), for a total cost in FY 2008 of \$1,004 from the State General Fund. The cost for FY 2009 and following years is expected to be less than \$50 per year. The effect resulting from the passage of this bill would be in addition to amounts included in the *FY 2008 Governor's Budget Report*.