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Date: February 3rd, 2025
To: Chairwoman Warren and the Senate Committee on Judiciary
From: City of Overland Park
Re: SB 70 – Opposition (Written)

Thank you for allowing the City of Overland Park to submit testimony in opposition to SB 70.

The City of Overland Park has concerns with several parts of SB 70, and due to those specific concerns is opposing this bill.

Regarding the Kansas Open Meeting Act (KOMA), SB 70 would require a public body that live streams its public meetings to “ensure all aspects of the public meeting are available” through the live streaming. Currently local governments are not required by KOMA to live stream their public meetings. This requirement to “ensure all aspects of the public meeting are available” is vague and places undue burdens on local governments who are already taking proactive and voluntary steps to make sure their meetings are open and transparent to the public. This does not take into account that certain local governments may have technological or spatial restrictions in their live streaming of meetings. If passed, SB 70 could result in local governments choosing not to live stream their meetings in order to avoid this vague and unclear requirement.

Additionally, SB 70 states that a private entity will be considered a subordinate group of a governmental entity if the private entity is under the direct or indirect control of the governmental entity. SB 70 fails to define what constitutes “direct” or “indirect” control, which would lead to confusion, non-uniform application and potential litigation regarding what entities are considered subordinate groups of governmental bodies.

Thank you for allowing the City to submit testimony in opposition to SB 70. We respectfully request that the Committee not advance this legislation to the full Senate.