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MEMORANDUM

To: Senate Committee on Judiciary

From: Office of Revisor of Statutes

Date: January 20, 2026

Subject: Bill Brief on SB 246

Senate Bill 246 requires all applicants for teaching licenses and certificates and employees of a school district or public innovative district to submit to a criminal history record check and creates the criminal history record check reimbursement fund for certain state and criminal history record checks conducted by the Kansas department for aging and disability services.

Section 1 requires the state board of education to require every applicant (defined later in the section) to be fingerprinted and submit to a state and national criminal history record check. Each applicant shall pay a fee for such record check in an amount necessary to reimburse the state board of education for the cost of such record check. If an applicant is employed by a school district, such district may pay the fee on behalf of the applicant. An applicant who does not submit to a record check shall not be issued a license or certificate by the state board of education.

A person who is not an applicant but is an employee of a school district (defined later in the section) shall be fingerprinted and submit to a criminal history record check. Employees hired before July 1, 2025, shall submit to such record check every five years from July 1, 2025, and employees hired after July 1, 2025, shall submit to such record check every five years from the first day of such employee's employment. The school district may pay for the cost of the record check or may require each employee to pay a fee in an amount necessary to reimburse the school district for the cost of such record check.

Any employee who has been convicted of an offense described in K.S.A. 72-2165 shall file a report with the school district indicating the name, address and social security number of

such employee. Such report shall be filed within 30 days after the date of such conviction. Failure to file such report shall be a class B nonperson misdemeanor.

Section 2 creates the criminal history record check reimbursement fund to be administered by the Kansas department for aging and disability services. Expenditures may be made from the fund to reimburse the department for criminal history record checks. On July 1, 2025, and each July 1 thereafter, the secretary for aging and disability services, in consultation with the director of the budget, shall determine and certify to the director of accounts and reports the total amount paid by the department for criminal history record checks minus the amount received from fees charged and collected for such record checks. Upon receipt of such certification, the director of accounts and reports shall transfer such amount from the state general fund to the criminal history record check fund.

Section 3 amends K.S.A. 22-4714 to provide the state board of education criminal history record check information for applicants, school districts criminal history record check information for employees and public innovative school districts criminal history record check information for employees.

Section 4 amends K.S.A. 72-2165, the statute that provides the crimes for which a conviction will disqualify a person from receiving a license, to provide that a license shall be revoked for a conviction of the crimes. Under current law the county or district attorney is required to file a report with the state board of education when a person is convicted of one of the crimes listed. This bill removes that requirement and requires the person convicted to file a report with the state board of education. Failure to file such report is a class B nonperson misdemeanor. If a person who makes such report is a licensed employee of the school district, the state board of education shall notify the school district within 30 days of receiving the report.

Section 5 amends K.S.A. 72-4223, the statute creating public innovative school districts, to provide that employees of such districts are required to be fingerprinted and submit to a criminal history record check. Employees hired before July 1, 2025, shall submit to such record check every five years from July 1, 2025, and employees hired after July 1, 2025, shall submit to such record check every five years from the first day of such employee's employment. The district may pay for the cost of the record check or may require each employee to pay a fee in an amount necessary to reimburse the district for the cost of the record check. Any employee who has been convicted of an offense described in K.S.A. 72-2165 shall file a report with the school district indicating the name, address and social security number of such employee. Such report

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shall be filed within 30 days after the date of such conviction. Failure to file such report shall be a class B nonperson misdemeanor. The section defines employee.