

As Amended by House Committee

Session of 2025

HOUSE BILL No. 2291

By Committee on Commerce, Labor and Economic Development

Requested by Representative Penn

2-5

1 AN ACT creating the regulatory relief division within the office of the
2 attorney general; establishing the general regulatory sandbox program
3 to waive or suspend administrative rules and regulations for program
4 participants; amending K.S.A. 75-4319 and repealing the existing
5 section.

6
7 *Be it enacted by the Legislature of the State of Kansas:*

8 New Section 1. As used in sections 1 through 7, and amendments
9 thereto:

10 (a) "Agency" means any officer, department, bureau, division, board,
11 authority, agency, commission or institution of this state, except the
12 judicial and legislative branches, that is authorized by law to adopt rules
13 and regulations concerning the administration, enforcement or
14 interpretation of any law of this state;

15 (b) "records" means information that is inscribed on a tangible
16 medium or that is stored in an electronic or other medium and is
17 retrievable in perceivable form; and

18 (c) "written report" means the report written by an applicable agency
19 required by section 3(f), and amendments thereto.

20 New Sec. 2. (a) (1) There is hereby established within the office of
21 the attorney general a regulatory relief division to administer and support
22 the operations of the general regulatory sandbox program.

23 (2) The attorney general shall establish and maintain a principal
24 office for the regulatory relief division within the state, appoint employees
25 and agents ~~as necessary~~ and prescribe the duties and compensation for
26 each employee and agent subject to appropriations. The regulatory relief
27 division shall be headed by a director appointed by the attorney general.
28 Such director shall report to the attorney general and may appoint staff
29 subject to the approval of the attorney general. **Appointments of**
30 **employees by the attorney general or by the director and approved by**
31 **the attorney general shall be limited to one full-time and one part-time**
32 **employee, unless additional staff is requested by and authorized**
33 **pursuant to appropriations as approved by the house committee on**
34 **appropriations and the senate committee on ways and means.**

35 (b) (1) The regulatory relief division shall:

1 (A) Administer the provisions of this section;
2 (B) administer the general regulatory sandbox program; and
3 (C) act as a liaison between private businesses and applicable
4 agencies to identify rules and regulations that could be waived or
5 suspended under the general regulatory sandbox program.

6 (2) The regulatory relief division may:

7 (A) Review state laws and rules and regulations that may
8 unnecessarily inhibit the creation or success of new and existing
9 companies and provide recommendations to the governor and the
10 legislature on amending or repealing such state laws and rules and
11 regulations;

12 (B) create a framework for analyzing the risk level to the health,
13 safety and financial well-being of consumers related to repealing state
14 laws and repealing or waiving the requirements of rules and regulations
15 identified in subparagraph (A);

16 (C) propose potential reciprocity agreements between states that use
17 or are proposing to use similar general regulatory sandbox programs as
18 described in this section;

19 (D) adopt rules and regulations regarding the administration of the
20 general regulatory sandbox program, including rules and regulations that:

21 (i) Administer the general regulatory sandbox program; and
22 (ii) set forth the general regulatory sandbox program application
23 process and reporting requirements; and

24 (E) consult and cooperate with other agencies in the state relating to
25 the general regulatory sandbox program.

26 (c) (1) There is hereby established the general regulatory sandbox
27 program advisory committee. The advisory committee shall have ~~four~~ **nine**
28 members as follows:

29 (A) ~~Six~~**Five** members who represent business interests from a variety
30 of industries, appointed by the director;

31 (B) ~~three~~**two** members appointed by the director who represent state
32 agencies that license or regulate businesses;

33 (C) one member of the senate, appointed by the president of the
34 senate; and

35 (D) one member of the house of representatives, appointed by the
36 speaker of the house of representatives.

37 (2) Appointments to the advisory committee made by the director
38 shall be for four-year renewable terms. Appointments to the advisory
39 committee made by the president of the senate and the speaker of the
40 house of representatives shall be for two-year renewable terms. Any
41 vacancy in the membership of the advisory committee shall be filled for
42 the unexpired term in the same manner as provided in this paragraph for
43 the original appointment. Notwithstanding the requirements of this

1 paragraph, the director may adjust the length of terms of appointments to
2 the advisory committee, so that approximately half of the advisory
3 committee is appointed every two years.

4 (3) The director shall select a chairperson from among the members
5 of the advisory committee on an annual basis. A quorum of the advisory
6 committee shall be a majority of the appointed members. All actions of the
7 advisory committee shall be by motion adopted by a majority of those
8 members present when there is a quorum.

9 (4) The advisory committee may meet at any time and at any place
10 within the state upon the call of the chairperson or a majority of the
11 members of the advisory committee.

12 (5) The advisory committee shall advise and make recommendations
13 to the regulatory relief division as described in this section.

14 (6) The regulatory relief division shall provide assistance to the
15 advisory committee to prepare and publish meeting agendas, public
16 notices, meeting minutes and any research, data or information requested
17 by the advisory committee.

18 (7) The advisory committee, in accordance with K.S.A. 75-4319, and
19 amendments thereto, may recess for a closed or executive meeting when it
20 is considering matters relating to applications submitted by applicants.

21 (8) If approved by the legislative coordinating committee, legislative
22 members of the committee attending meetings authorized by the
23 committee shall be paid amounts for expenses, mileage and subsistence as
24 provided in K.S.A. 75-3223(e), and amendments thereto.

25 (d) Beginning in 2027, on or before the first day of each regular
26 legislative session, the director of the regulatory relief division shall
27 prepare and submit a report to the senate standing committee on
28 commerce, the house standing committee on commerce, labor and
29 economic development and the joint committee on administrative rules
30 and regulations or their successor committees. Such report shall include:

31 (1) Information regarding each participant in the general regulatory
32 sandbox program, including which industries each participant represents;

33 (2) the anticipated or actual cost savings that each participant
34 experienced due to such participant's participation in the general regulatory
35 sandbox program;

36 (3) recommendations regarding any laws or rules and regulations that
37 should be repealed or amended;

38 (4) information regarding outcomes for consumers; and

39 (5) recommendations for changes to the general regulatory sandbox
40 program or other duties of the regulatory relief division.

41 New Sec. 3. (a) There is hereby created in the regulatory relief
42 division the general regulatory sandbox program. In the administration of
43 the general regulatory sandbox program, the regulatory relief division:

1 (1) Shall consult with each applicable state agency;

2 (2) shall establish a program to enable a person to obtain legal
3 protections and limited access to the market in the state to demonstrate an
4 innovative offering without obtaining a ~~license~~, certification, or
5 registration or other authorization that might otherwise be required by state
6 law, **except that:**

7 **(A) Nothing in this act shall be construed to permit any waiver or**
8 **suspension of any licensing requirement or rule or regulation**
9 **regarding licensing or to permit a license to be deemed for purposes of**
10 **federal or state law; and**

11 **(B) the program shall not be used for any innovative offering**
12 **regulated under any provision of the Kansas liquor control act, club**
13 **and drinking establishment act or Kansas cereal malt beverage act,**
14 **and no waiver or suspension of any licensing requirement or any other**
15 **rule and regulation under any such act shall be permitted;**

16 (3) may enter into agreements with or adopt the best practices of
17 corresponding federal regulatory agencies or other states that are
18 administering similar programs; and

19 (4) may consult with businesses in the state about existing or
20 potential proposals for the general regulatory sandbox program.

21 (b) (1) The regulatory relief division shall provide relevant
22 information regarding the regulatory sandbox program and how to apply
23 for the program. The regulatory relief division may provide assistance to
24 an applicant in preparing an application for submission.

25 (2) An applicant to the general regulatory sandbox program may
26 contact the regulatory relief division to request a consultation regarding
27 the general regulatory sandbox program before submitting an application.

28 (3) An applicant to the general regulatory sandbox program shall
29 provide to the regulatory relief division an application in a form prescribed
30 by the regulatory relief division that:

31 (A) Confirms that the applicant is subject to the jurisdiction of
32 Kansas;

33 (B) confirms that the applicant has established a physical or virtual
34 location in the state from where the demonstration of an innovative
35 offering will be developed and performed and where all required records,
36 documents and data will be maintained;

37 (C) contains relevant personal and contact information for the
38 applicant, including legal names, addresses, telephone numbers, email
39 addresses, website addresses and other information required by the
40 regulatory relief division;

41 (D) discloses criminal convictions of the applicant or other
42 participating personnel, if any;

43 (E) contains a description of the innovative offering to be

1 demonstrated, including statements regarding:

2 (i) How the offering is subject to ~~licensing~~, legal prohibition or other
3 authorization requirements outside of the general regulatory sandbox
4 program;

5 (ii) each rule and regulation that the applicant seeks to have waived or
6 suspended while participating in the general regulatory sandbox program;

7 (iii) how the offering would benefit consumers;

8 (iv) how the offering is different from other offerings available in the
9 state;

10 (v) what risks might exist for consumers who use or purchase the
11 offering;

12 (vi) how participating in the general regulatory sandbox program
13 would enable a successful demonstration of the offering;

14 (vii) a description of the proposed demonstration plan, including
15 estimated time periods for beginning and ending the demonstration;

16 (viii) recognition that the applicant will be subject to all laws and
17 rules and regulations pertaining to the applicant's offering after conclusion
18 of the demonstration; and

19 (ix) how the applicant will end the demonstration and protect
20 consumers if the demonstration fails;

21 (F) lists each agency, if any, that the applicant reasonably believes to
22 regulate the applicant's business; and

23 (G) provides any other required information as determined by the
24 regulatory relief office.

25 (4) For each application submitted, the regulatory relief office may
26 collect a fee of not to exceed \$250.

27 (5) An applicant shall file a separate application for each innovative
28 offering that the applicant seeks to demonstrate.

29 (c) (1) The application and any related information provided by the
30 applicant shall be confidential and privileged, except that the application
31 and related information may be disclosed to an expert contracted by the
32 division for specific services to review the records.

33 (2) Except as provided in paragraph 1, the application and any related
34 information provided by the applicant shall be confidential and privileged
35 and not be subject to the provisions of the Kansas open records act as
36 provided by K.S.A. 45-215 et seq., and amendments thereto. The
37 provisions of this subsection shall expire on July 1, 2030, unless the
38 legislature reviews and reenacts this provision pursuant to K.S.A. 45-229,
39 and amendments thereto, prior to July 1, 2030.

40 (d) After an application is filed, the regulatory relief office shall:

41 (1) Consult with each applicable agency that regulates the applicant's
42 business to determine if more information is needed from the applicant;
43 and

1 (2) seek any other information from the applicant that the regulatory
2 relief office determines is necessary for an application to be complete.

3 (e) Not later than five business days after the day when a complete
4 application is received, the regulatory relief office shall:

5 (1) Review the application and refer the application to each
6 applicable agency that regulates the applicant's business; and

7 (2) provide to the applicant an acknowledgment of receipt of the
8 application and the identity and contact information of each agency to
9 which the application has been referred for review.

10 (f) (1) Except as provided by this section, not later than 30 days after
11 the day when an applicable agency receives a complete application for
12 review, the applicable agency shall provide a written report to the director
13 of the applicable agency's findings. Such report shall:

14 (A) Describe any identifiable, likely and significant harm to the
15 health, safety or financial well-being of consumers against which the
16 relevant law or rule and regulation protects; and

17 (B) make a recommendation to the regulatory relief office that the
18 application either be admitted or denied entrance into the general
19 regulatory sandbox program.

20 (2) The applicable agency may request an additional five business
21 days to deliver the written report by providing notice to the director. Such
22 request shall automatically be granted, and the applicable agency may only
23 request one extension per application.

24 (3) If the applicable agency recommends that an application should
25 be denied entrance into the general regulatory sandbox program, the
26 written report shall include a description of the reasons for the
27 recommendation, including why a temporary waiver or suspension of the
28 relevant rules and regulations is likely to significantly harm the health,
29 safety or financial well-being of consumers or the public and the
30 likelihood of such harm occurring.

31 (4) If the agency determines that the consumer's or public's health,
32 safety or financial well-being can be protected through less restrictive
33 means than the existing relevant rules and regulations, the applicable
34 agency shall provide a recommendation of how such less restrictive means
35 can be achieved.

36 (5) If an applicable agency fails to deliver a written report as
37 described in this section, the director shall assume that the applicable
38 agency does not object to the temporary waiver or suspension of the
39 relevant rules and regulations for the application seeking to participate in
40 the general regulatory sandbox program.

41 (6) Notwithstanding any other provision of this section, an applicable
42 agency may:

43 (A) By written notice to the regulatory relief office not more than 30

1 days after the date when the applicable agency receives a completed
2 application for review, or within 35 days if an extension has been
3 requested by the applicable agency, reject an application if the applicable
4 agency determines, in the applicable agency's sole discretion, that the
5 applicant's offering fails to comply with standards or specifications
6 required by federal law or regulation or previously approved for use by a
7 federal agency; or

8 (B) reject an application preliminarily approved by the regulatory
9 relief office, if the applicable agency recommended rejection of the
10 application in the agency's written report and provides in the written notice
11 under subparagraph (A) a description of the applicable agency's reasons
12 why approval of the application would create a substantial risk of harm to
13 the health or safety of the public or create unreasonable expenses for
14 taxpayers in the state.

15 (7) If an applicable agency rejects an application under paragraph (6),
16 the regulatory relief office shall not approve such application **unless the**
17 **advisory committee recommends that the application should be**
18 **approved by a $\frac{2}{3}$ vote.**

19 (g) (1) Upon receiving a written report, the director shall provide the
20 application and the written report to the advisory committee.

21 (2) The director may call the advisory committee to meet, as needed,
22 but not less than once per quarter if applications are available for review.

23 (3) After receiving and reviewing the application and each written
24 report, the advisory committee shall provide to the director the advisory
25 committee's recommendation as to whether or not the applicant should be
26 admitted as a sandbox participant under this section.

27 (4) As part of the advisory committee's review of each written report,
28 the advisory committee shall use the criteria required for an applicable
29 agency as described in subsection (f).

30 (h) (1) In reviewing an application and each applicable agency's
31 written report, the regulatory relief office shall consult with each
32 applicable agency and the advisory committee before admitting an
33 applicant into the general regulatory sandbox program. Such consultation
34 may seek information regarding whether the applicable agency has
35 previously:

36 (A) Issued a license or other authorization to the applicant; and

37 (B) investigated, sanctioned or pursued legal action against the
38 applicant.

39 (2) In reviewing an application, if a competitor to an applicant is or
40 has been a regulatory relief sandbox program participant, the regulatory
41 relief office and each applicable agency shall weigh such competitor's
42 participation as a factor in favor of allowing the applicant to also become a
43 sandbox participant.

1 (i) In reviewing an application under this section, the regulatory relief
2 office shall consider if:

3 (1) The applicant's plan will adequately protect consumers from
4 potential harm identified by an applicable agency in the written report;

5 (2) the risk of harm to consumers is outweighed by the potential
6 benefits to consumers from the applicant's participation in the general
7 regulatory sandbox program; and

8 (3) certain rules and regulations that regulate an offering should not
9 be waived or suspended even if the applicant is approved as a sandbox
10 participant, including applicable anti-fraud or disclosure provisions.

11 (j) An applicant becomes a sandbox participant if the regulatory relief
12 office approves the application and enters into a written agreement with
13 the applicant describing the specific rules and regulations that are waived
14 or suspended as part of participation in the general regulatory sandbox
15 program.

16 (1) The regulatory relief office shall not enter into a written
17 agreement with an applicant that waives or suspends a tax, fee or charge
18 that is administered under the provisions of chapter 79 of the Kansas
19 Statutes Annotated, and amendments thereto.

20 (2) The director may deny any application submitted under this
21 section for any reason, including if the director determines that suspending
22 or waiving enforcement of rule and regulation would cause a significant
23 risk of harm to consumers or residents of the state.

24 (3) (A) If the director denies an application, the regulatory relief
25 office shall provide to the applicant a written description of the reasons for
26 not allowing the applicant to be a sandbox participant.

27 (B) The denial of an application submitted under this section shall not
28 be subject to the administrative procedure act or the Kansas judicial review
29 act.

30 (C) The director shall deny an application for participation in the
31 general regulatory sandbox program described by this section if the
32 applicant or any person who seeks to participate with the applicant, in
33 demonstrating that an offering has been convicted, entered a plea of nolo
34 contendere for any crime involving significant theft, fraud or dishonesty if
35 the crime bears a significant relationship to the applicant's or other
36 participant's ability to safely and competently participate in the general
37 regulatory sandbox program.

38 (4) When an applicant is approved for participation in the general
39 regulatory sandbox program, the director ~~may~~ **shall** provide notice of the
40 approval to competitors of the applicant and to the public. **Such notice**
41 **shall be provided prominently on the website of the attorney general**
42 **and the website or webpage of the regulatory relief division, if the**
43 **regulatory relief division has a website or webpage.**

1 New Sec. 4. (a) If the regulatory relief office approves an application
2 under sections 1 through 3, and amendments thereto, the sandbox
3 participant shall have ~~12~~ **24** months after the date when the application
4 was approved to demonstrate the offering described in the application.

5 (b) An offering that is demonstrated within the general regulatory
6 sandbox program is subject to the following limitations:

7 (1) Each consumer shall be a resident of Kansas; and

8 (2) no rule and regulation shall be waived or suspended if such
9 waiver or suspension would prevent a consumer from seeking restitution
10 in the event that the consumer is harmed.

11 (c) (1) A sandbox participant who holds a ~~license or other~~
12 ~~authorization~~ **certification or registration** in another jurisdiction shall not
13 be restricted from acting in accordance with that ~~license or other~~
14 ~~authorization~~.

15 (2) A sandbox participant is deemed to possess an appropriate ~~license~~
16 ~~or other authorization~~ **certification or registration** under the laws of the
17 state for the purposes of any provision of federal law requiring licensure or
18 other authorization by the state.

19 (3) Except as provided in paragraph (5), during the demonstration
20 period, a sandbox participant shall not be subject to the enforcement of
21 rules and regulations identified in the written agreement between the
22 regulatory relief office and the sandbox participant described in section
23 3(j), and amendments thereto;

24 (4) (A) A prosecutor shall not file or pursue charges pertaining to a
25 rule and regulation identified in the written agreement between the
26 regulatory relief office and the sandbox participant described in section
27 3(j), and amendments thereto, for any act or omission that occurs during
28 the demonstration period; and

29 (B) an agency shall not file or pursue any punitive action against a
30 sandbox participant, including a fine or ~~license~~ suspension or revocation **of**
31 **a certification or registration**, for the violation of a rule and regulation
32 that:

33 (i) Is identified as being waived or suspended in the written
34 agreement between the regulatory relief office and the sandbox participant
35 described in section 3(j), and amendments thereto; and

36 (ii) occurs during the demonstration period.

37 (5) Except as provided by paragraph (4)(A), a sandbox participant
38 shall not have immunity related to any criminal offense committed during
39 the sandbox participant's participation in the general regulatory sandbox
40 program.

41 (6) By written notice, the regulatory relief office may end a sandbox
42 participant's participation in the general regulatory sandbox program at any
43 time and for any reason, including if the director determines that a sandbox

1 participant is not operating in good faith to bring an innovative offering to
2 market.

3 (7) The regulatory relief office and the regulatory relief office's
4 employees shall be not held liable for any business losses or the recouping
5 of application expenses or other expenses related to the general regulatory
6 sandbox program, including for:

7 (A) Denying an applicant's application to participate in the general
8 regulatory sandbox program; or

9 (B) ending a sandbox participant's participation in the general
10 regulatory sandbox program at any time for any reason.

11 New Sec. 5. (a) Before demonstrating an offering to a consumer, a
12 sandbox participant shall disclose to the consumer:

13 (1) The name and contact information of the sandbox participant;

14 (2) that the offering is authorized pursuant to the general regulatory
15 sandbox program and, if applicable, that the sandbox participant does not
16 have a ~~license or other authorization~~ **certification or registration** to
17 provide an offering under state laws that regulate offerings outside of the
18 general regulatory sandbox program;

19 (3) that the offering is undergoing testing and may not function as
20 intended and may expose the consumer to certain risks as identified by the
21 applicable agency's written report;

22 (4) that the provider of the offering is not immune from civil liability
23 for any losses or damages caused by the offering;

24 (5) that the provider of the offering is not immune from criminal
25 prosecution for violations of state law or rules and regulations that are not
26 suspended or waived as allowed by the general regulatory sandbox
27 program;

28 (6) that the offering is a temporary demonstration that may be
29 discontinued at the end of the demonstration period; and

30 (7) the expected end date of the demonstration period; and

31 (8) that a consumer may contact the regulatory relief office and file a
32 complaint regarding the offering being demonstrated and provide the
33 regulatory relief office's telephone number and website address where a
34 complaint may be filed.

35 (b) The disclosures required by subsection (a) shall be provided to a
36 consumer in a clear and conspicuous form, and for an offering on a
37 website or application, a consumer shall acknowledge receipt of the
38 disclosure before any transaction may be completed.

39 (c) The regulatory relief office may require that a sandbox participant
40 make additional disclosures to a consumer.

41 New Sec. 6. (a) At least 30 days before the end of the ~~12-month~~ **24-**
42 **month** general regulatory sandbox program demonstration period, a
43 sandbox participant shall:

1 (1) Notify the regulatory relief office that the sandbox participant will
2 leave the general regulatory sandbox program and discontinue the sandbox
3 participant's demonstration after the day on which the ~~12-month~~ **24-month**
4 demonstration period ends; or

5 (2) seek an extension pursuant to subsection (d).

6 (b) If the regulatory relief office does not receive notification
7 pursuant to subsection (a), the general regulatory sandbox program
8 demonstration period shall end at the end of the ~~12-month~~ **24-month**
9 testing period.

10 (c) If a demonstration includes an offering that requires ongoing
11 duties, the sandbox participant may continue to do so but shall be subject
12 to enforcement of the rules and regulations that were waived or suspended
13 as part of the general regulatory sandbox program.

14 (d) Not later than 30 days before the end of the ~~12-month~~ **24-month**
15 general regulatory sandbox program demonstration period, a sandbox
16 participant may request an extension of the general regulatory sandbox
17 program demonstration period.

18 (1) The regulatory relief office shall grant or deny a request for an
19 extension in accordance with subsection (a) by the end of the ~~12-month~~
20 **24-month** general regulatory sandbox program testing period.

21 (2) The regulatory relief office may grant an extension in accordance
22 with this section for not more than 12 months after the end of the general
23 regulatory sandbox program demonstration period.

24 New Sec. 7. (a) A sandbox participant shall retain records, documents
25 and data produced in the ordinary course of business regarding an offering
26 demonstrated in the general regulatory sandbox program.

27 (1) If a sandbox participant ceases to provide an offering before the
28 end of a demonstration period, the sandbox participant shall notify the
29 regulatory relief office and each applicable agency and report on actions
30 taken by the sandbox participant to ensure consumers have not been
31 harmed as a result.

32 (2) The regulatory relief office shall establish quarterly reporting
33 requirements for a sandbox participant, including information about any
34 consumer complaints.

35 (3) The regulatory relief office may request records, documents and
36 data from a sandbox participant, and upon the regulatory relief office's
37 request, the sandbox participant shall make such records, documents and
38 data available for inspection by the regulatory relief office.

39 (b) (1) Within three business days, the sandbox participant shall
40 notify the regulatory relief office, each applicable agency and the joint
41 committee on administrative rules and regulations of the existence of any
42 incidents that result in harm to the health, safety or financial well-being of
43 a consumer. Within seven business days, the sandbox participant shall

1 provide the details surrounding any such incident to the regulatory relief
2 office, each applicable agency and the joint committee on administrative
3 rules and regulations.

4 (2) If a sandbox participant fails to notify the regulatory relief office
5 and each applicable agency of any incidents as described in this subsection
6 or the regulatory relief office or an applicable agency has evidence that
7 significant harm to a consumer has occurred, the regulatory relief office
8 may immediately remove the sandbox participant from the general
9 regulatory sandbox program.

10 (c) Not later than 30 days after the date when a sandbox participant
11 leaves the general regulatory sandbox program, the sandbox participant
12 shall submit an exit report to the regulatory relief office, each applicable
13 agency and the joint committee on administrative rules and regulations
14 describing an overview of the sandbox participant's demonstration,
15 including any:

16 (1) Incidents of harm to consumers;

17 (2) legal action filed against the participant as a result of the
18 participant's demonstration; and

19 (3) complaints filed with an applicable agency as a result of the
20 participant's demonstration.

21 (d) Not later than 30 days after the date when an applicable agency
22 receives the quarterly reporting described in subsection (g) or an exit
23 report from a sandbox participant as described in subsection (c), the
24 applicable agency shall provide a written report to the regulatory relief
25 office and the joint committee on administrative rules and regulations on
26 the demonstration that describes any statutory or regulatory reform that the
27 applicable agency recommends as a result of the demonstration.

28 (e) The regulatory relief office may remove a sandbox participant
29 from the general regulatory sandbox program at any time if the regulatory
30 relief office determines that a sandbox participant has engaged in, is
31 engaging in, or is about to engage in any practice or transaction that is in
32 violation of sections 1 through 7, and amendments thereto, or constitutes a
33 violation of a law or rule and regulation for which suspension or waiver
34 has not been granted.

35 (f) The regulatory relief office shall create and maintain a website
36 that invites residents and businesses in the state to make suggestions
37 regarding laws and rules and regulations that could be modified or
38 eliminated to reduce the regulatory burden of residents and businesses in
39 the state.

40 (g) (1) On at least a quarterly basis, the regulatory relief office shall
41 compile the results of suggestions from the website and provide a report to
42 the governor, the senate standing committee on commerce, the house
43 standing committee on commerce, labor and economic development and

1 the joint committee on administrative rules and regulations or their
2 successor committees.

3 (2) In creating such report, the regulatory relief office:

4 (A) Shall ensure that private information of residents and businesses
5 that make suggestions on the website is not made public; and

6 (B) may evaluate the suggestions and provide analysis and
7 suggestions regarding which state laws and rules and regulations could be
8 modified or eliminated to reduce the regulatory burden on residents and
9 businesses in the state while still protecting consumers.

10 Sec. 8. K.S.A. 75-4319 is hereby amended to read as follows: 75-
11 4319. (a) Upon formal motion made, seconded and carried, all public
12 bodies and agencies subject to the open meetings act may recess, but not
13 adjourn, open meetings for closed or executive meetings. Any motion to
14 recess for a closed or executive meeting shall include: (1) A statement
15 describing the subjects to be discussed during the closed or executive
16 meeting; (2) the justification listed in subsection (b) for closing the
17 meeting; and (3) the time and place at which the open meeting shall
18 resume. The complete motion shall be recorded in the minutes of the
19 meeting and shall be maintained as a part of the permanent records of the
20 public body or agency. Discussion during the closed or executive meeting
21 shall be limited to those subjects stated in the motion.

22 (b) Justifications for recess to a closed or executive meeting may only
23 include the following, the need:

24 (1) To discuss personnel matters of nonelected personnel;

25 (2) for consultation with an attorney for the public body or agency,
26 which would be deemed privileged in the attorney-client relationship;

27 (3) to discuss employer-employee negotiations whether or not in
28 consultation with the representative or representatives of the public body
29 or agency;

30 (4) to discuss data relating to financial affairs or trade secrets of
31 corporations, partnerships, trusts, and individual proprietorships;

32 (5) to discuss matters relating to actions adversely or favorably
33 affecting a person as a student, patient or resident of a public institution,
34 except that any such person shall have the right to a public hearing if
35 requested by the person;

36 (6) for the preliminary discussion of the acquisition of real property;

37 (7) to discuss matters relating to parimutuel racing permitted to be
38 discussed in a closed or executive meeting pursuant to K.S.A. 74-8804,
39 and amendments thereto;

40 (8) to discuss matters relating to the care of children permitted to be
41 discussed in a closed or executive meeting pursuant to K.S.A. 38-2212(d)
42 (1) or 38-2213(e), and amendments thereto;

43 (9) to discuss matters relating to the investigation of child deaths

1 permitted to be discussed in a closed or executive meeting pursuant to
2 K.S.A. 22a-243(j), and amendments thereto;

3 (10) to discuss matters relating to patients and providers permitted to
4 be discussed in a closed or executive meeting pursuant to K.S.A. 39-
5 7,119(g), and amendments thereto;

6 (11) to discuss matters required to be discussed in a closed or
7 executive meeting pursuant to a tribal-state gaming compact;

8 (12) to discuss matters relating to security measures, if the discussion
9 of such matters at an open meeting would jeopardize such security
10 measures, that protect: (A) Systems, facilities or equipment used in the
11 production, transmission or distribution of energy, water or
12 communications services; (B) transportation and sewer or wastewater
13 treatment systems, facilities or equipment; (C) a public body or agency,
14 public building or facility or the information system of a public body or
15 agency; or (D) private property or persons, if the matter is submitted to the
16 public body or agency for purposes of this paragraph. For purposes of this
17 paragraph, security means measures that protect against criminal acts
18 intended to intimidate or coerce the civilian population, influence
19 government policy by intimidation or coercion or to affect the operation of
20 government by disruption of public services, mass destruction,
21 assassination or kidnapping. Security measures include, but are not limited
22 to, intelligence information, tactical plans, resource deployment and
23 vulnerability assessments;

24 (13) to discuss matters relating to maternity centers and child care
25 facilities permitted to be discussed in a closed or executive meeting
26 pursuant to K.S.A. 65-525(d), and amendments thereto;

27 (14) to discuss matters relating to the office of inspector general
28 permitted to be discussed in a closed or executive meeting pursuant to
29 K.S.A. 75-7427, and amendments thereto; ~~and~~

30 (15) for the governor's domestic violence fatality review board to
31 conduct case reviews;

32 *(16) for the general regulatory sandbox program advisory committee*
33 *to discuss applications to the general regulatory sandbox program.*

34 (c) No binding action shall be taken during closed or executive
35 recesses, and such recesses shall not be used as a subterfuge to defeat the
36 purposes of this act.

37 (d) Any confidential records or information relating to security
38 measures provided or received under the provisions of subsection (b)(12),
39 shall not be subject to subpoena, discovery or other demand in any
40 administrative, criminal or civil action.

41 Sec. 9. K.S.A. 75-4319 is hereby repealed.

42 Sec. 10. This act shall take effect and be in force from and after its
43 publication in the statute book.