

As Amended by House Committee

Session of 2026

HOUSE BILL No. 2460

By Committee on Judiciary

Requested by Representative Essex

1-15

1 AN ACT concerning the Kansas open records act (KORA); relating to
2 permissible exceptions to disclosure; ~~providing~~ **modifying** an
3 exception to KORA that authorizes ~~members of the legislature~~ **certain**
4 **individuals** to have identifying information restricted from public
5 access on public websites that identify home addresses or home
6 ownership; **providing that certain individuals who were employed**
7 **for five or more years may request to have such information**
8 **restricted; authorizing members of the legislature, state officers**
9 **elected on a statewide basis, members of the state board of**
10 **education and elected members of the governing body of any**
11 **municipality to request to have such information restricted;**
12 **removing an exception to KORA related to information or reports**
13 **obtained and prepared by the office of the state bank**
14 **commissioner; amending K.S.A. 2025 Supp. 45-221 and repealing the**
15 **existing section.**

16
17 *Be it enacted by the Legislature of the State of Kansas:*

18 Section 1. K.S.A. 2025 Supp. 45-221 is hereby amended to read as
19 follows: 45-221. (a) Except to the extent disclosure is otherwise required
20 by law, a public agency shall not be required to disclose:

21 (1) Records the disclosure of which is specifically prohibited or
22 restricted by federal law, state statute or rule of the Kansas supreme court
23 or rule of the senate committee on confirmation oversight relating to
24 information submitted to the committee pursuant to K.S.A. 75-4315d, and
25 amendments thereto, or the disclosure of which is prohibited or restricted
26 pursuant to specific authorization of federal law, state statute or rule of the
27 Kansas supreme court or rule of the senate committee on confirmation
28 oversight relating to information submitted to the committee pursuant to
29 K.S.A. 75-4315d, and amendments thereto, to restrict or prohibit
30 disclosure.

31 (2) Records that are privileged under the rules of evidence, unless the
32 holder of the privilege consents to the disclosure.

33 (3) Medical, psychiatric, psychological or alcoholism or drug
34 dependency treatment records that pertain to identifiable patients.

35 (4) Personnel records, performance ratings or individually identifiable

1 records pertaining to employees or applicants for employment, except that
2 this exemption shall not apply to the names, positions, salaries or actual
3 compensation employment contracts or employment-related contracts or
4 agreements and lengths of service of officers and employees of public
5 agencies once they are employed as such.

6 (5) Information that would reveal the identity of any undercover
7 agent or any informant reporting a specific violation of law.

8 (6) Letters of reference or recommendation pertaining to the character
9 or qualifications of an identifiable individual, except documents relating to
10 the appointment of persons to fill a vacancy in an elected office.

11 (7) Library, archive and museum materials contributed by private
12 persons; to the extent of any limitations imposed as conditions of the
13 contribution.

14 (8) Information that would reveal the identity of an individual who
15 lawfully makes a donation to a public agency, if anonymity of the donor is
16 a condition of the donation, except if the donation is intended for or
17 restricted to providing remuneration or personal tangible benefit to a
18 named public officer or employee.

19 (9) Testing and examination materials, before the test or examination
20 is given or if it is to be given again, or records of individual test or
21 examination scores, other than records that show only passage or failure
22 and not specific scores.

23 (10) Criminal investigation records, except as provided herein. The
24 district court, in an action brought pursuant to K.S.A. 45-222, and
25 amendments thereto, may order disclosure of such records, subject to such
26 conditions as the court may impose, if the court finds that disclosure:

27 (A) Is in the public interest;

28 (B) would not interfere with any prospective law enforcement action,
29 criminal investigation or prosecution;

30 (C) would not reveal the identity of any confidential source or
31 undercover agent;

32 (D) would not reveal confidential investigative techniques or
33 procedures not known to the general public;

34 (E) would not endanger the life or physical safety of any person; and

35 (F) would not reveal the name, address, phone number or any other
36 information that specifically and individually identifies the victim of any
37 sexual offense described in article 35 of chapter 21 of the Kansas Statutes
38 Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas
39 Statutes Annotated, and amendments thereto.

40 If a public record is discretionarily closed by a public agency pursuant
41 to this subsection, the record custodian, upon request, shall provide a
42 written citation to the specific provisions of subparagraphs (A) through (F)
43 that necessitate closure of that public record.

1 (11) Records of agencies involved in administrative adjudication or
2 civil litigation, compiled in the process of detecting or investigating
3 violations of civil law or administrative rules and regulations, if:

4 (A) Disclosure would interfere with a prospective administrative
5 adjudication or civil litigation;

6 (B) disclosure would reveal the identity of a confidential source or
7 undercover agent; or

8 (C) the investigation is formally closed and the agency determines
9 that no violation occurred.

10 (12) Records of emergency or security information or procedures of a
11 public agency, if disclosure would jeopardize public safety, including
12 records of cybersecurity plans, cybersecurity assessments and
13 cybersecurity vulnerabilities or procedures related to cybersecurity plans,
14 cybersecurity assessments and cybersecurity vulnerabilities, or plans,
15 drawings, specifications or related information for any building or facility
16 that is used for purposes requiring security measures in or around the
17 building or facility or that is used for the generation or transmission of
18 power, water, fuels or communications, if disclosure would jeopardize
19 security of the public agency, building or facility.

20 (13) The contents of appraisals or engineering or feasibility estimates
21 or evaluations made by or for a public agency relative to the acquisition of
22 property, prior to the award of formal contracts therefor.

23 (14) Correspondence between a public agency and a private
24 individual, other than correspondence that is intended to give notice of an
25 action, policy or determination relating to any regulatory, supervisory or
26 enforcement responsibility of the public agency or that is widely
27 distributed to the public by a public agency and is not specifically in
28 response to communications from such a private individual.

29 (15) Records pertaining to employer-employee negotiations, if
30 disclosure would reveal information discussed in a lawful executive
31 session under K.S.A. 75-4319, and amendments thereto.

32 (16) Software programs for electronic data processing and
33 documentation thereof, but each public agency shall maintain a register,
34 open to the public, that describes:

35 (A) The information that the agency maintains on computer facilities;
36 and

37 (B) the form in which the information can be made available using
38 existing computer programs.

39 (17) Applications, financial statements and other information
40 submitted in connection with applications for student financial assistance
41 where financial need is a consideration for the award.

42 (18) Plans, designs, drawings or specifications that are prepared by a
43 person other than an employee of a public agency or records that are the

1 property of a private person.

2 (19) Well samples, logs or surveys that the state corporation
3 commission requires to be filed by persons who have drilled or caused to
4 be drilled, or are drilling or causing to be drilled, holes for the purpose of
5 discovery or production of oil or gas; to the extent that disclosure is
6 limited by rules and regulations of the state corporation commission.

7 (20) Notes, preliminary drafts, research data in the process of
8 analysis, unfunded grant proposals, memoranda, recommendations or
9 other records in which opinions are expressed or policies or actions are
10 proposed, except that this exemption shall not apply when such records are
11 publicly cited or identified in an open meeting or in an agenda of an open
12 meeting.

13 (21) Records of a public agency having legislative powers that pertain
14 to proposed legislation or amendments to proposed legislation, except that
15 this exemption shall not apply when such records are:

16 (A) Publicly cited or identified in an open meeting or in an agenda of
17 an open meeting; or

18 (B) distributed to a majority of a quorum of any body that has
19 authority to take action or make recommendations to the public agency
20 with regard to the matters to which such records pertain.

21 (22) Records of a public agency having legislative powers that pertain
22 to research prepared for one or more members of such agency, except that
23 this exemption shall not apply when such records are:

24 (A) Publicly cited or identified in an open meeting or in an agenda of
25 an open meeting; or

26 (B) distributed to a majority of a quorum of any body that has
27 authority to take action or make recommendations to the public agency
28 with regard to the matters to which such records pertain.

29 (23) Library patron and circulation records that pertain to identifiable
30 individuals.

31 (24) Records that are compiled for census or research purposes and
32 ~~which~~ pertain to identifiable individuals.

33 (25) Records that represent and constitute the work product of an
34 attorney.

35 (26) Records of a utility or other public service pertaining to
36 individually identifiable residential customers of the utility or service.

37 (27) Specifications for competitive bidding, until the specifications
38 are officially approved by the public agency.

39 (28) Sealed bids and related documents, until a bid is accepted or all
40 bids rejected.

41 (29) Correctional records pertaining to an identifiable inmate or
42 release, except that:

43 (A) The name; photograph and other identifying information;

1 sentence data; parole eligibility date; custody or supervision level;
2 disciplinary record; supervision violations; conditions of supervision,
3 excluding requirements pertaining to mental health or substance abuse
4 counseling; location of facility where incarcerated or location of parole
5 office maintaining supervision and address of a releasee whose crime was
6 committed after the effective date of this act shall be subject to disclosure
7 to any person other than another inmate or releasee, except that the
8 disclosure of the location of an inmate transferred to another state pursuant
9 to the interstate corrections compact shall be at the discretion of the
10 secretary of corrections;

11 (B) the attorney general, law enforcement agencies, counsel for the
12 inmate to whom the record pertains and any county or district attorney
13 shall have access to correctional records to the extent otherwise permitted
14 by law;

15 (C) the information provided to the law enforcement agency pursuant
16 to the sex offender registration act, K.S.A. 22-4901 et seq., and
17 amendments thereto, shall be subject to disclosure to any person, except
18 that the name, address, telephone number or any other information that
19 specifically and individually identifies the victim of any offender required
20 to register as provided by the Kansas offender registration act, K.S.A. 22-
21 4901 et seq., and amendments thereto, shall not be disclosed; and

22 (D) records of the department of corrections regarding the financial
23 assets of an offender in the custody of the secretary of corrections shall be
24 subject to disclosure to the victim, or such victim's family, of the crime for
25 which the inmate is in custody as set forth in an order of restitution by the
26 sentencing court.

27 (30) Public records containing information of a personal nature where
28 the public disclosure thereof would constitute a clearly unwarranted
29 invasion of personal privacy.

30 (31) Public records pertaining to prospective location of a business or
31 industry where no previous public disclosure has been made of the
32 business' or industry's interest in locating in, relocating within or
33 expanding within the state. This exception shall not include those records
34 pertaining to application of agencies for permits or licenses necessary to
35 do business or to expand business operations within this state, except as
36 otherwise provided by law.

37 (32) Engineering and architectural estimates made by or for any
38 public agency relative to public improvements.

39 (33) Financial information submitted by contractors in qualification
40 statements to any public agency.

41 (34) Records involved in the obtaining and processing of intellectual
42 property rights that are expected to be, wholly or partially vested in or
43 owned by a state educational institution, as defined in K.S.A. 76-711, and

1 amendments thereto, or an assignee of the institution organized and
2 existing for the benefit of the institution.

3 (35) Any report or record that is made pursuant to K.S.A. 65-4922,
4 65-4923 or 65-4924, and amendments thereto, and that is privileged
5 pursuant to K.S.A. 65-4915 or 65-4925, and amendments thereto.

6 (36) Information that would reveal the precise location of an
7 archeological site.

8 (37) Any financial data or traffic information from a railroad
9 company, to a public agency, concerning the sale, lease or rehabilitation of
10 the railroad's property in Kansas.

11 (38) Risk-based capital reports, risk-based capital plans and
12 corrective orders including the working papers and the results of any
13 analysis filed with the commissioner of insurance in accordance with
14 K.S.A. 40-2c20 and 40-2d20, and amendments thereto.

15 (39) Memoranda and related materials required to be used to support
16 the annual actuarial opinions submitted pursuant to K.S.A. 40-409(b), and
17 amendments thereto.

18 (40) Disclosure reports filed with the commissioner of insurance
19 under K.S.A. 40-2,156(a), and amendments thereto.

20 (41) All financial analysis ratios and examination synopses
21 concerning insurance companies that are submitted to the commissioner by
22 the national association of insurance commissioners' insurance regulatory
23 information system.

24 (42) Any records the disclosure of which is restricted or prohibited by
25 a tribal-state gaming compact.

26 (43) Market research, market plans, business plans and the terms and
27 conditions of managed care or other third-party contracts, developed or
28 entered into by the university of Kansas medical center in the operation
29 and management of the university hospital that the chancellor of the
30 university of Kansas or the chancellor's designee determines would give an
31 unfair advantage to competitors of the university of Kansas medical center.

32 (44) The amount of franchise tax paid to the secretary of revenue or
33 the secretary of state by domestic corporations, foreign corporations,
34 domestic limited liability companies, foreign limited liability companies,
35 domestic limited partnership, foreign limited partnership, domestic limited
36 liability partnerships and foreign limited liability partnerships.

37 (45) Records, other than criminal investigation records, the disclosure
38 of which would pose a substantial likelihood of revealing security
39 measures that protect:

40 (A) Systems, facilities or equipment used in the production,
41 transmission or distribution of energy, water or communications services;

42 (B) transportation and sewer or wastewater treatment systems,
43 facilities or equipment; or

1 (C) private property or persons, if the records are submitted to the
2 agency. For purposes of this paragraph, security means measures that
3 protect against criminal acts intended to intimidate or coerce the civilian
4 population, influence government policy by intimidation or coercion or to
5 affect the operation of government by disruption of public services, mass
6 destruction, assassination or kidnapping. Security measures include, but
7 are not limited to, intelligence information, tactical plans, resource
8 deployment and vulnerability assessments.

9 (46) Any information or material received by the register of deeds of
10 a county from military discharge papers, DD Form 214. Such papers shall
11 be disclosed: To the military dischargee; to such dischargee's immediate
12 family members and lineal descendants; to such dischargee's heirs, agents
13 or assigns; to the licensed funeral director who has custody of the body of
14 the deceased dischargee; when required by a department or agency of the
15 federal or state government or a political subdivision thereof; when the
16 form is required to perfect the claim of military service or honorable
17 discharge or a claim of a dependent of the dischargee; and upon the written
18 approval of the Kansas office of veterans services, to a person conducting
19 research.

20 (47) Information that would reveal the location of a shelter or a
21 safehouse or similar place where persons are provided protection from
22 abuse or the name, address, location or other contact information of
23 alleged victims of stalking, domestic violence or sexual assault.

24 (48) Policy information provided by an insurance carrier in
25 accordance with K.S.A. 44-532(h)(1), and amendments thereto. This
26 exemption shall not be construed to preclude access to an individual
27 employer's record for the purpose of verification of insurance coverage or
28 to the department of labor for their business purposes.

29 (49) An individual's e-mail address, cell phone number and other
30 contact information that has been given to the public agency for the
31 purpose of public agency notifications or communications that are widely
32 distributed to the public.

33 (50) Information provided by providers to the local collection point
34 administrator or to the 911 coordinating council pursuant to the Kansas
35 911 act upon request of the party submitting such records.

36 (51) (A) Records of a public agency on a public website that are
37 searchable by a keyword search and identify the home address or home
38 ownership of:

39 (i) A law enforcement officer as defined in K.S.A. 21-5111, and
40 amendments thereto; a parole officer; a probation officer; a court services
41 officer; a community correctional services officer; a local correctional
42 officer or local detention officer; a federal judge; a justice of the supreme
43 court; a judge of the court of appeals; a district judge; a district magistrate

1 judge; a municipal judge; a presiding officer who conducts hearings
2 pursuant to the Kansas administrative procedure act; an administrative law
3 judge employed by the office of administrative hearings; a member of the
4 state board of tax appeals; an administrative law judge who conducts
5 hearings pursuant to the workers compensation act; a member of the
6 workers' compensation appeals board; the United States attorney for the
7 district of Kansas; an assistant United States attorney; a special assistant
8 United States attorney; the attorney general; an assistant attorney general;
9 a special assistant attorney general; a county attorney; an assistant county
10 attorney; a special assistant county attorney; a district attorney; an assistant
11 district attorney; a special assistant district attorney; a city attorney; an
12 assistant city attorney; ~~or a special assistant city attorney;~~ **or any person**
13 **who was employed in such a position provided in this subparagraph**
14 **for five or more years; or**

15 (ii) *a member of the legislature; a state officer elected on a*
16 *statewide basis; a member of the state board of education; or an*
17 *elected member of the governing body of any municipality as defined*
18 *in K.S.A. 75-6102, and amendments thereto.*

19 (B) Such person shall file with the custodian of such record a request
20 to have such person's identifying information restricted from public access
21 on such public website. Within 10 business days of receipt of such
22 requests, the public agency shall restrict such person's identifying
23 information from such public access. Such restriction shall expire after
24 five years and such person may file with the custodian of such record a
25 new request for restriction at any time.

26 (52) Records of a public agency that would disclose the name, home
27 address, zip code, e-mail address, phone number or cell phone number or
28 other contact information for any person licensed to carry concealed
29 handguns or of any person who enrolled in or completed any weapons
30 training in order to be licensed or has made application for such license
31 under the personal and family protection act, K.S.A. 75-7c01 et seq., and
32 amendments thereto, shall not be disclosed unless otherwise required by
33 law.

34 (53) Records of a utility concerning information about cyber security
35 threats, attacks or general attempts to attack utility operations provided to
36 law enforcement agencies, the state corporation commission, the federal
37 energy regulatory commission, the department of energy, the southwest
38 power pool, the North American electric reliability corporation, the federal
39 communications commission or any other federal, state or regional
40 organization that has a responsibility for the safeguarding of
41 telecommunications, electric, potable water, waste water disposal or
42 treatment, motor fuel or natural gas energy supply systems.

43 ~~(54) Records of a public agency containing information or reports~~

1 obtained and prepared by the office of the state bank commissioner in the
2 course of licensing or examining a person engaged in money transmission
3 business pursuant to K.S.A. 9-508 et seq., and amendments thereto, shall
4 not be disclosed except pursuant to K.S.A. 9-513e, and amendments
5 thereto, or unless otherwise required by law.

6 (55) Records of a public agency that contain captured license plate
7 data or that pertain to the location of an automated license plate
8 recognition system.

9 (56)(55) Records of a public agency that contain material that is
10 obscene as defined in K.S.A. 21-6401, and amendments thereto.

11 (b) Except to the extent disclosure is otherwise required by law or as
12 appropriate during the course of an administrative proceeding or on appeal
13 from agency action, a public agency or officer shall not disclose financial
14 information of a taxpayer that may be required or requested by a county
15 appraiser or the director of property valuation to assist in the determination
16 of the value of the taxpayer's property for ad valorem taxation purposes; or
17 any financial information of a personal nature required or requested by a
18 public agency or officer, including a name, job description or title
19 revealing the salary or other compensation of officers, employees or
20 applicants for employment with a firm, corporation or agency, except a
21 public agency. Nothing contained herein shall be construed to prohibit the
22 publication of statistics, so classified as to prevent identification of
23 particular reports or returns and the items thereof.

24 (c) As used in this section, the term "cited or identified" does not
25 include a request to an employee of a public agency that a document be
26 prepared.

27 (d) If a public record contains material that is not subject to disclosure
28 pursuant to this act, the public agency shall separate or delete such
29 material and make available to the requester that material in the public
30 record that is subject to disclosure pursuant to this act. If a public record is
31 not subject to disclosure because it pertains to an identifiable individual,
32 the public agency shall delete the identifying portions of the record and
33 make available to the requester any remaining portions that are subject to
34 disclosure pursuant to this act, unless the request is for a record pertaining
35 to a specific individual or to such a limited group of individuals that the
36 individuals' identities are reasonably ascertainable, the public agency shall
37 not be required to disclose those portions of the record that pertain to such
38 individual or individuals.

39 (e) The provisions of this section shall not be construed to exempt
40 from public disclosure statistical information not descriptive of any
41 identifiable person.

42 (f) Notwithstanding the provisions of subsection (a), any public
43 record that has been in existence more than 70 years shall be open for

1 inspection by any person unless disclosure of the record is specifically
2 prohibited or restricted by federal law, state statute or rule of the Kansas
3 supreme court or by a policy adopted pursuant to K.S.A. 72-6214, and
4 amendments thereto.

5 (g) Any confidential records or information relating to security
6 measures provided or received under the provisions of subsection (a)(45)
7 shall not be subject to subpoena, discovery or other demand in any
8 administrative, criminal or civil action.

9 Sec. 2. K.S.A. 2025 Supp. 45-221 is hereby repealed.

10 Sec. 3. This act shall take effect and be in force from and after its
11 publication in the statute book.