

As Further Amended by House Committee

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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 **authorizing any other person who resides at an address that is**
13 **subject to restriction from public access to request to have such**
14 **information restricted; removing an exception to KORA related to**
15 **information or reports obtained and prepared by the office of the**
16 **state bank commissioner; amending K.S.A. 2025 Supp. 45-221 and**
17 **repealing the existing section.**

18
19 *Be it enacted by the Legislature of the State of Kansas:*

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

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

33 (2) Records that are privileged under the rules of evidence, unless the

1 holder of the privilege consents to the disclosure.

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

4 (4) Personnel records, performance ratings or individually identifiable
5 records pertaining to employees or applicants for employment, except that
6 this exemption shall not apply to the names, positions, salaries or actual
7 compensation employment contracts or employment-related contracts or
8 agreements and lengths of service of officers and employees of public
9 agencies once they are employed as such.

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

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

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

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

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

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

31 (A) Is in the public interest;

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

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

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

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

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

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

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

8 (A) Disclosure would interfere with a prospective administrative
9 adjudication or civil litigation;

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

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

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

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

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

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

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

39 (A) The information that the agency maintains on computer facilities;
40 and

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

43 (17) Applications, financial statements and other information

1 submitted in connection with applications for student financial assistance
2 where financial need is a consideration for the award.

3 (18) Plans, designs, drawings or specifications that are prepared by a
4 person other than an employee of a public agency or records that are the
5 property of a private person.

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

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

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

20 (A) Publicly cited or identified in an open meeting or in an agenda of
21 an open meeting; or

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

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

28 (A) Publicly cited or identified in an open meeting or in an agenda of
29 an open meeting; or

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

33 (23) Library patron and circulation records that pertain to identifiable
34 individuals.

35 (24) Records that are compiled for census or research purposes and
36 which pertain to identifiable individuals.

37 (25) Records that represent and constitute the work product of an
38 attorney.

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

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

43 (28) Sealed bids and related documents, until a bid is accepted or all

1 bids rejected.

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

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

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

19 (C) the information provided to the law enforcement agency pursuant
20 to the sex offender registration act, K.S.A. 22-4901 et seq., and
21 amendments thereto, shall be subject to disclosure to any person, except
22 that the name, address, telephone number or any other information that
23 specifically and individually identifies the victim of any offender required
24 to register as provided by the Kansas offender registration act, K.S.A. 22-
25 4901 et seq., and amendments thereto, shall not be disclosed; and

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

31 (30) Public records containing information of a personal nature where
32 the public disclosure thereof would constitute a clearly unwarranted
33 invasion of personal privacy.

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

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

43 (33) Financial information submitted by contractors in qualification

1 statements to any public agency.

2 (34) Records involved in the obtaining and processing of intellectual
3 property rights that are expected to be, wholly or partially vested in or
4 owned by a state educational institution, as defined in K.S.A. 76-711, and
5 amendments thereto, or an assignee of the institution organized and
6 existing for the benefit of the institution.

7 (35) Any report or record that is made pursuant to K.S.A. 65-4922,
8 65-4923 or 65-4924, and amendments thereto, and that is privileged
9 pursuant to K.S.A. 65-4915 or 65-4925, and amendments thereto.

10 (36) Information that would reveal the precise location of an
11 archeological site.

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

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

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

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

24 (41) All financial analysis ratios and examination synopses
25 concerning insurance companies that are submitted to the commissioner by
26 the national association of insurance commissioners' insurance regulatory
27 information system.

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

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

36 (44) The amount of franchise tax paid to the secretary of revenue or
37 the secretary of state by domestic corporations, foreign corporations,
38 domestic limited liability companies, foreign limited liability companies,
39 domestic limited partnership, foreign limited partnership, domestic limited
40 liability partnerships and foreign limited liability partnerships.

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

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

3 (B) transportation and sewer or wastewater treatment systems,
4 facilities or equipment; or

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

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

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

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

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

37 (50) Information provided by providers to the local collection point
38 administrator or to the 911 coordinating council pursuant to the Kansas
39 911 act upon request of the party submitting such records.

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

43 (i) A law enforcement officer as defined in K.S.A. 21-5111, and

1 amendments thereto; a parole officer; a probation officer; a court services
2 officer; a community correctional services officer; a local correctional
3 officer or local detention officer; a federal judge; a justice of the supreme
4 court; a judge of the court of appeals; a district judge; a district magistrate
5 judge; a municipal judge; a presiding officer who conducts hearings
6 pursuant to the Kansas administrative procedure act; an administrative law
7 judge employed by the office of administrative hearings; a member of the
8 state board of tax appeals; an administrative law judge who conducts
9 hearings pursuant to the workers compensation act; a member of the
10 workers' compensation appeals board; the United States attorney for the
11 district of Kansas; an assistant United States attorney; a special assistant
12 United States attorney; the attorney general; an assistant attorney general;
13 a special assistant attorney general; a county attorney; an assistant county
14 attorney; a special assistant county attorney; a district attorney; an assistant
15 district attorney; a special assistant district attorney; a city attorney; an
16 assistant city attorney; ~~or a special assistant city attorney; or~~ **any person**
17 **who was employed in such a position provided in this subparagraph**
18 **for five or more years; or**

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

23 (iii) **any person who resides at an address that is subject to**
24 **restriction from public access pursuant to subparagraph (A)(i) or (ii).**

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

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

40 (53) Records of a utility concerning information about cyber security
41 threats, attacks or general attempts to attack utility operations provided to
42 law enforcement agencies, the state corporation commission, the federal
43 energy regulatory commission, the department of energy, the southwest

1 power pool, the North American electric reliability corporation, the federal
2 communications commission or any other federal, state or regional
3 organization that has a responsibility for the safeguarding of
4 telecommunications, electric, potable water, waste water disposal or
5 treatment, motor fuel or natural gas energy supply systems.

6 ~~(54)—Records of a public agency containing information or reports~~
7 ~~obtained and prepared by the office of the state bank commissioner in the~~
8 ~~course of licensing or examining a person engaged in money transmission~~
9 ~~business pursuant to K.S.A. 9-508 et seq., and amendments thereto, shall~~
10 ~~not be disclosed except pursuant to K.S.A. 9-513e, and amendments~~
11 ~~thereto, or unless otherwise required by law.~~

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

15 ~~(56)~~(55) Records of a public agency that contain material that is
16 obscene as defined in K.S.A. 21-6401, and amendments thereto.

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

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

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

1 individual or individuals.

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

5 (f) Notwithstanding the provisions of subsection (a), any public
6 record that has been in existence more than 70 years shall be open for
7 inspection by any person unless disclosure of the record is specifically
8 prohibited or restricted by federal law, state statute or rule of the Kansas
9 supreme court or by a policy adopted pursuant to K.S.A. 72-6214, and
10 amendments thereto.

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

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

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