

SENATE BILL No. 491

By Committee on Education

2-5

1 AN ACT concerning education; enacting the Haylee Weissenbach
2 protecting students act; establishing the office of education inspector
3 general; authorizing the education inspector general to conduct audits,
4 investigations and reviews of educational institutions; requiring
5 reporting of suspected professional and criminal misconduct by school
6 employees and agents; requiring certain individuals to register on an
7 educator misconduct registry established by the education inspector
8 general; requiring school employees and agents to submit to a criminal
9 history record check; providing for civil penalties for violations of the
10 act; amending K.S.A. 2025 Supp. 22-4714 and 75-702 and repealing
11 the existing sections.
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 New Section 1. (a) Section 1 et seq., and amendments thereto, shall
15 be known and may be cited as the Haylee Weissenbach protecting students
16 act.

17 (b) The purpose of this act is to protect the safety and well-being of
18 all students by establishing an independent, statewide system of
19 educational oversight designed to detect, investigate and prevent
20 professional misconduct, criminal misconduct and systemic failure in
21 Kansas elementary and secondary educational institutions, including
22 preventing employment of any current, former or prospective individual
23 who has engaged in verbal, physical or sexual misconduct or otherwise
24 poses a risk to student safety.

25 New Sec. 2. As used in the protecting students act:

26 (a) "Agent" means any individual who is not regularly employed by
27 an educational institution but provides a service for the educational
28 institution that requires such individual to be present in a school or the
29 educational institution or to come into unsupervised contact with students
30 of the educational institution during the regular hours of the school day.
31 "Agent" includes, but is not limited to, student teachers, volunteers and
32 any individual employed by a service provider that contracts with the
33 educational institution or governing body to provide services.

34 (b) "Applicant" means an individual who has submitted an
35 application for licensure or license renewal by the state board of education.

36 (c) "Credible" means, when considering the totality of circumstances,

1 a reasonable person would believe that criminal or professional
2 misconduct may have occurred. The totality of the circumstances includes,
3 but is not limited to, observable facts, witness statements, patterns of
4 behavior or documented evidence.

5 (d) "Criminal misconduct" means a violation of K.S.A. 38-2223, and
6 amendments thereto, commission of a crime listed in K.S.A. 72-2165(a) or
7 (b), and amendments thereto, or any other crime described in chapter 21 of
8 the Kansas Statutes Annotated, and amendments thereto.

9 (e) "Educational institution" means any school district or nonpublic
10 school that operates any of the grades kindergarten through 12 in Kansas.
11 "Educational institution" includes charter schools, virtual schools and
12 alternative educational programs.

13 (f) "Governing body" means the board of education of a school
14 district and any governing body of a nonpublic school. "Governing body"
15 includes each individual member of a governing body.

16 (g) "Law enforcement" means a public office that is vested by law
17 with the duty to maintain public order, make arrests for crimes and
18 investigate criminal acts, whether that duty extends to all crimes or is
19 limited to specific crimes.

20 (h) "Licensee" means a person who currently holds a license issued
21 by the state board of education.

22 (i) "Mandated reporter" means any individual required to report
23 certain abuse or neglect of children pursuant to K.S.A. 38-2223(a)(1)(C),
24 and amendments thereto.

25 (j) "Parent" means and includes a natural parent, adoptive parent,
26 stepparent, guardian or individual with the legal authority to act on behalf
27 of the child.

28 (k) "Professional misconduct" means unacceptable or improper
29 behavior by a school employee or agent. "Professional misconduct"
30 includes abuse, retaliation, any specific violation of an educational
31 institution's code of conduct, inappropriate conduct with students,
32 falsification of professional credentials, employment applications or
33 employment history, conduct that undermines student safety or
34 institutional integrity or any other behavior that would disqualify an
35 individual from employment in a school setting.

36 (l) "Registry" means the education misconduct registry established by
37 the education inspector general as provided in section 9, and amendments
38 thereto.

39 (m) "Retaliation" means any adverse employment action taken in
40 response to a protected disclosure or report of suspected professional
41 misconduct or criminal misconduct. "Retaliation" includes, but is not
42 limited to, involuntary termination, reassignment or demotion of school
43 employees who have made reports of misconduct and whose personnel

1 records and documented performance reviews do not warrant such action.

2 (n) "School employee" means any individual employed by a school
3 district or nonpublic elementary or secondary school in Kansas, including,
4 but not limited to, superintendents, administrators, teachers, librarians,
5 paraprofessionals, school nurses, and other school support staff.

6 (o) "Whistleblower" means any individual who reports suspected
7 criminal misconduct or professional misconduct to the office of education
8 inspector general or law enforcement.

9 New Sec. 3. (a) There is hereby established the office of education
10 inspector general within the office of the attorney general. All management
11 functions and personnel of the office of education inspector general shall
12 be administered under the direction and supervision of the attorney
13 general. The purpose of the office of education inspector general is to
14 establish a full-time program of audit, investigation and performance
15 review and enforcement to ensure accountability, transparency and
16 integrity within Kansas educational institutions. The office of education
17 inspector general shall be independent and free from political influence.

18 (b) (1) The education inspector general shall be appointed by the
19 attorney general and subject to confirmation by the senate as provided in
20 K.S.A. 75-4315b, and amendments thereto. Except as provided in K.S.A.
21 46-2601, and amendments thereto, no individual appointed to the position
22 of education inspector general shall exercise any power, duty or function
23 of the education inspector general until confirmed by the senate. The
24 education inspector general shall be selected without regard to political
25 affiliation and on the basis of integrity and capacity for effectively carrying
26 out the duties of the office of education inspector general. The education
27 inspector general shall possess demonstrated knowledge, skills, abilities
28 and experience in conducting audits and investigations and shall be
29 familiar with the programs subject to oversight by the office of education
30 inspector general. The education inspector general shall exercise
31 independent judgment in performing the duties of the office of education
32 inspector general.

33 (2) No former or current executive or manager of any program or
34 agency subject to oversight by the office of education inspector general
35 may be appointed as education inspector general within two years of that
36 individual's period of service with such program or agency. The education
37 inspector general shall hold at the time of appointment, or shall obtain
38 within one year after confirmation, certification as a certified inspector
39 general from the association of inspectors general, council of the
40 inspectors general on integrity and efficiency or other national
41 organization that provides training to inspectors general.

42 (3) An individual appointed to the position of education inspector
43 general shall serve at the pleasure of the attorney general.

1 (4) The education inspector general shall be in the unclassified
2 service and receive an annual salary in an amount equal to the annual
3 salary paid by the state to the attorney general.

4 (5) The education inspector general shall report to the attorney
5 general. Subject to subsection (a)(1), the education inspector general shall
6 have general managerial control over the office of education inspector
7 general and may organize the office as the education inspector general
8 deems appropriate to carry out the responsibilities and functions of the
9 office.

10 (6) Appropriations for the office of education inspector general shall
11 be made to the attorney general by separate line item appropriations for the
12 office of education inspector general. Within the limits of appropriations
13 therefor, the attorney general may hire such employees in the unclassified
14 service as are necessary to administer the office of education inspector
15 general. Such employees shall serve at the pleasure of the attorney general.

16 (c) The office of education inspector general shall generally oversee,
17 investigate, audit and make performance reviews of educational
18 institutions for the purposes of preventing and identifying professional
19 misconduct, criminal misconduct, educational institution systemic failure
20 and violations of this act or any other law and perform the duties required
21 by section 5, and amendments thereto.

22 (d) (1) The education inspector general or any employee of the
23 education inspector general's office shall have access to all pertinent
24 information, confidential or otherwise, and to all personnel and facilities of
25 an educational institution, state agency and any local governmental agency
26 that are necessary to perform the duties of the office. Educational
27 institutions, state agencies and local governmental agencies shall provide
28 the education inspector general requested information, assistance and
29 cooperation.

30 (2) To carry out the duties of the office of education inspector
31 general, the education inspector general shall have the power to compel by
32 subpoena the attendance and testimony of witnesses and the production of
33 documents, electronic records and papers directly related to any audit,
34 investigation or performance review.

35 (e) Except as otherwise provided in this section, the education
36 inspector general and all employees and former employees of the office of
37 education inspector general shall be subject to the same duty of
38 confidentiality imposed by law on any such individual or agency with
39 regard to any such information and any civil or criminal penalties imposed
40 by law for violations of such duty of confidentiality. The duty of
41 confidentiality imposed on the education inspector general and all
42 employees and former employees of the office of education inspector
43 general shall be subject to the provisions of subsection (f), and the

1 education inspector general may furnish all such information to the
2 attorney general, Kansas bureau of investigation or office of the United
3 States attorney in Kansas pursuant to subsection (f). Upon receipt thereof,
4 the attorney general, Kansas bureau of investigation or office of the United
5 States attorney in Kansas and all assistants and all other employees and
6 former employees of such offices shall be subject to the same duty of
7 confidentiality with the exceptions that any such information may be
8 disclosed in criminal or other proceedings that may be instituted and
9 prosecuted by the attorney general or the United States attorney in Kansas,
10 and any such information furnished to the attorney general, the Kansas
11 bureau of investigation or the United States attorney in Kansas under
12 subsection (f) may be entered into evidence in any such proceedings.

13 (f) All investigations conducted by the education inspector general
14 shall be conducted in a manner that ensures the preservation of evidence
15 for use in criminal prosecutions, civil actions or agency administrative
16 actions. If the education inspector general determines that a possible
17 criminal act, false claim or any instances of misfeasance, malfeasance or
18 nonfeasance by a public officer or employee has been committed, the
19 education inspector general shall immediately notify the attorney general.
20 The education inspector general may present findings to the office of the
21 attorney general, applicable district or county attorney or the office of the
22 United States attorney in Kansas. The education inspector general may
23 refer matters involving professional misconduct or ethics or licensure
24 violations to the appropriate state licensing board.

25 (g) The scope, timing and completion of any audit, investigation or
26 performance review conducted by the office of education inspector general
27 shall be within the discretion of the education inspector general. Any audit
28 conducted by the office of education inspector general shall adhere to and
29 comply with all generally accepted governmental auditing standards
30 promulgated by the United States government accountability office.

31 (h) Based on the education inspector general's findings, the education
32 inspector general may make recommendations for changes in law, rules
33 and regulations, policy or procedures as the education inspector general
34 deems appropriate to carry out the provisions of law or to improve
35 functionality or efficiency.

36 (i) Nothing in this section shall limit investigations by any state
37 department or agency that may otherwise be required or permitted by law
38 or may be necessary in carrying out the duties and functions of such
39 agency.

40 New Sec. 4. (a) There is hereby established the education inspector
41 general oversight review board within the office of the attorney general.
42 The education inspector general oversight review board shall monitor the
43 operations, integrity and public accountability of the office of education

1 inspector general.

2 (b) The education inspector general oversight review board shall
3 consist of seven members, who shall serve for a three-year term, as
4 follows:

5 (1) One licensed educator with no professional relationship with the
6 state department of education or governing body appointed by the state
7 board of education;

8 (2) one retired law enforcement officer with investigative experience
9 appointed by the attorney general;

10 (3) one parent of a student who is or was enrolled in and attending an
11 educational institution appointed by the governor;

12 (4) one attorney with professional experience in civil rights law
13 appointed by the disciplinary administrator;

14 (5) one representative of a child advocacy organization appointed by
15 the secretary of the department for children and families;

16 (6) one member of the Kansas legislature appointed jointly by the
17 speaker of the house of representatives and the president of the senate; and

18 (7) one student enrolled in and attending an educational institution
19 appointed by the state board of education.

20 (c) The members of the board shall elect a chairperson and a vice
21 chairperson from among such board's members. The board shall meet at
22 least two times per year. A quorum shall consist of a majority of the
23 members of the board. All actions of the board shall be taken by such
24 majority.

25 (d) The board shall:

26 (1) Review the office of the education inspector general policies,
27 handling of complaints, timeliness, transparency and decisions for
28 compliance with this act;

29 (2) receive and review complaints about the office of education
30 inspector general, investigations of the office of education inspector
31 general;

32 (3) make recommendations to the attorney general, the education
33 inspector general and the legislature to improve fairness, integrity and
34 responsiveness;

35 (4) request audits and recommend corrective actions as necessary;
36 and

37 (5) publish any reports, complaints and recommendations on the
38 office of education inspector general website, but such reports, complaints
39 and recommendations may be redacted as required for confidentiality or
40 compliance with state or federal law.

41 (e) The board shall not intervene with any active investigations of the
42 office of education inspector general or direct the day-to-day operations of
43 such office.

1 New Sec. 5. (a) The education inspector general shall:

2 (1) Investigate professional misconduct and criminal misconduct in
3 Kansas educational institutions. The education inspector general shall
4 initiate the investigations required by section 6, and amendments thereto.
5 Such investigations may include investigations of professional misconduct
6 and criminal misconduct that occurred before July 1, 2026. All
7 investigations by the education inspector general may include, but are not
8 limited to, interviews, witness testimony and document review;

9 (2) conduct audits and site inspections of Kansas educational
10 institutions;

11 (3) receive complaints and reports of professional misconduct,
12 criminal misconduct and violations of this act or any other law;

13 (4) establish an anonymous reporting portal as provided in section 7,
14 and amendments thereto;

15 (5) issue findings, investigative reports, corrective action plans or
16 cease-and-desist orders;

17 (6) monitor retaliation against complainants or reporters and enforce
18 whistleblower protections;

19 (7) establish an education misconduct registry as provided in section
20 9, and amendments thereto;

21 (8) conduct a safety and compliance audit for each educational
22 institution that assess the institution's compliance with this act, including,
23 but not limited to, referring criminal misconduct to law enforcement,
24 providing required training, reporting to the office of education inspector
25 general in a timely and accurate manner and conducting prehiring
26 screenings;

27 (9) cooperate with the education inspector general oversight review
28 board and not interfere in such board's access to any records or data;

29 (10) report suspected criminal misconduct or other suspected
30 violations of law to law enforcement, the attorney general or the
31 appropriate county or district attorney;

32 (11) report findings of professional misconduct and criminal
33 misconduct to national educator databases, including, but not limited to,
34 the national association of state directors of teacher education and
35 certification, within 15 days of any final administrative determination; and

36 (12) work with other state agencies and law enforcement agencies to
37 ensure transparency, efficiency and accountability. As part of working with
38 such agencies, the office of education inspector general may enter into
39 information-sharing agreements as necessary to administer this act.

40 (b) The education inspector general may review an educational
41 institution or governing body's employment policies and practices, human
42 resources actions, internal investigations, financial management,
43 procurement policies and hiring policies.

1 (c) If violations of this act are found, the education inspector general
2 may:

3 (1) Mandate corrective action, including, but not limited to, policy or
4 procedure changes, administrative restructuring and employee training;

5 (2) recommend suspension or revocation of professional licensure or
6 employment;

7 (3) recommend reinstatement of an individual suspended, fired or
8 whose contract was not renewed for reporting suspected professional
9 misconduct, criminal misconduct or violations of this act;

10 (4) recommend administrative sanctions;

11 (5) refer the violations for criminal investigation to the attorney
12 general or district or county attorney; or

13 (6) refer the violations for civil action or penalty to the attorney
14 general pursuant to section 13, and amendments thereto.

15 (d) (1) The office of education inspector general shall make an annual
16 report to the legislature, the governor and the state board of education
17 summarizing investigations, findings, enforcement actions,
18 recommendations and information-sharing agreements from the
19 immediately preceding calendar year.

20 (2) The office of education inspector general in collaboration with the
21 state department of education shall make an annual report to the legislature
22 that includes the number of criminal misconduct cases referred to law
23 enforcement, the outcomes of such cases, the number of cases that were
24 prosecuted, instances when law enforcement failed to act and any
25 subsequent review by the attorney general or Kansas commission on peace
26 officers' standards and training and recommendations to improve
27 accountability.

28 (3) The office of education inspector general shall make a quarterly
29 report that shall contain the following information from the immediately
30 preceding quarter:

31 (A) A summary of investigations completed;

32 (B) the number and type of complaints received;

33 (C) the categories of complaints received;

34 (D) required corrective actions and compliance status; and

35 (E) any referrals made to law enforcement, the attorney general, a
36 district or county attorney, the office of the United States attorney in
37 Kansas or a state licensing board.

38 (4) Reports made under this subsection shall comply with all
39 applicable confidentiality laws and rules and regulations. Such reports
40 shall be published on the office of education inspector general's website.

41 (e) The office of education inspector general may cooperate or assist
42 with law enforcement investigations that relate to professional misconduct
43 or violations of this act.

1 New Sec. 6. (a) The office of education inspector general shall initiate
2 an investigation immediately upon:

3 (1) Receipt of two or more complaints against the same individual,
4 educational institution or governing body within a 12-month period if such
5 complaints involve professional misconduct, criminal misconduct or
6 violations of this act or any other law that impact student safety or
7 educational institution integrity. The education inspector general may
8 initiate an investigation upon receipt of one such complaint;

9 (2) verified coerced resignations of school employees, use of
10 nondisclosure agreements by an educational institution or governing body
11 related to credible allegations of professional misconduct or instances
12 when an educational institution or governing body settled an issue without
13 reporting or conducting an investigation of credible allegations of
14 professional misconduct;

15 (3) reports, audits or credible allegations of nepotism, preferential
16 treatment in employee hiring or promotion, unethical procurement or
17 contracting practices or conflicts of interest involving public moneys;

18 (4) failure of a mandated reporter to make a report as required by
19 K.S.A. 38-2223(a)(1)(C), and amendments thereto;

20 (5) evidence of an educational institution or governing body
21 dismissing reports of suspected professional misconduct, criminal
22 misconduct, violations of this act or failing to investigate such reports;

23 (6) referral from law enforcement, the Kansas department for children
24 and families, the attorney general, a county or district attorney or any other
25 state agency of suspected professional misconduct or criminal misconduct,
26 administrative interference related to educational institutions; and

27 (7) receipt of credible allegations of retaliation against an individual
28 who reported suspected professional misconduct, criminal misconduct or
29 violations of this act.

30 (b) The office of education inspector general may investigate any
31 educational institution or governing body if evidence exists that such
32 school or governing body:

33 (1) Systemically failed to act on or covered up credible reports of
34 suspected school employee or agent professional misconduct, criminal
35 misconduct or violations of this act;

36 (2) enacted policies that violate due process, inhibit lawful reporting
37 or prevent school employees, agents, students or parents from reporting
38 professional misconduct, criminal misconduct or violations of this act; or

39 (3) denied the right to a lawful hearing.

40 (c) For any allegations that a school or school governing body
41 violated the Kansas open meetings act, K.S.A. 75-4317 et seq., and
42 amendments thereto, or the Kansas open records act, K.S.A. 45-215 et
43 seq., and amendments thereto, the office of education inspector general

1 shall report such allegations to the attorney general or the county or district
2 attorney where such violation occurred.

3 (d) No school employee, educational institution, governing body, the
4 state board of education or any state agency shall interfere with, delay,
5 obstruct or preempt any investigation initiated by the office of education
6 inspector general pursuant to this section. Refusal to comply, intentional
7 delay, concealment or obstruction is a violation of this act and may result
8 in penalties as provided in section 13, and amendments thereto.

9 New Sec. 7. (a) (1) Each educational institution, governing body or
10 state agency shall report to the office of education inspector general any
11 licensed educator or unlicensed non-educator school employee or agent
12 who is suspected of criminal misconduct, professional misconduct or
13 violations this act. If a report is required pursuant to section 8, and
14 amendments thereto, the individual making such report shall notify the
15 office of education inspector general of such report within 24 hours. The
16 state department of education shall refer allegations of professional
17 misconduct to the office of education inspector general for investigation.

18 (2) The education inspector general shall receive reports of suspected
19 professional misconduct, criminal misconduct or violations of this act. Any
20 individual who reports such suspected misconduct or violations to the
21 office of education inspector general shall be considered a whistleblower
22 and protected by this section or K.S.A. 75-2973, and amendments thereto.
23 The education inspector general may receive reports of suspected
24 misconduct that occurred before July 1, 2026.

25 (3) Any false or malicious report of criminal misconduct shall be
26 referred to law enforcement. No individual shall be penalized under this
27 section for a good faith report made with reasonable suspicion even if such
28 report is later found to be false or unsubstantiated.

29 (b) (1) The education inspector general shall establish and maintain a
30 secure online reporting portal to receive reports of suspected professional
31 misconduct and criminal misconduct by school employees or agents. Each
32 educational institution shall provide a link to such portal on each such
33 institution's website.

34 (2) The reporting portal shall:

35 (A) Meet the requirements established by the office of education
36 inspector general;

37 (B) allow anyone, including members of the public, to make a report,
38 including making a report anonymously;

39 (C) alert an administrator when a report should be made to law
40 enforcement; and

41 (D) include notice of legal protections for individuals making report
42 of professional misconduct or criminal misconduct, including
43 whistleblower protections.

1 (3) Each educational institution or governing body may establish a
2 reporting portal separate from the portal established by the office of
3 education inspector general. Any such portal shall comply with the portal
4 requirements provided in paragraph (2).

5 (c) The office of education inspector general shall not disclose or
6 make public the identity of any victim of professional misconduct or
7 criminal misconduct or individual who makes such report pursuant to this
8 act unless such individual consents in writing to the disclosure of such
9 individual's identity. Disclosure of the identity of any individual who
10 makes a report pursuant to this act shall not be ordered as part of any
11 administrative or judicial proceeding.

12 (d) Any information received by the education inspector general from
13 any individual concerning suspected professional misconduct, criminal
14 misconduct or violations of this act shall be confidential and not disclosed
15 or made public, upon subpoena or otherwise, except that such information
16 may be disclosed if:

17 (1) Release of the information would not result in the identification of
18 the individual who provided the information;

19 (2) the individual who provided the information consents to the
20 disclosure in writing prior to the disclosure;

21 (3) the disclosure is necessary to protect the public health or student
22 safety; or

23 (4) the information is required in an administrative or court
24 proceeding and appropriate provision has been made to allow disclosure of
25 the information without disclosing to the public the identity of the
26 individual who reported such information to the education inspector
27 general.

28 (e) (1) No educational institution, governing body, administrator or
29 supervisor shall:

30 (A) Prohibit any school employee, agent, student or parent from
31 reporting any information to the education inspector general; or

32 (B) require any such school employee, agent, student or parent to
33 give notice prior to making any such report.

34 (2) Paragraph (1) shall not be construed to:

35 (A) Prohibit an educational institution, governing body, administrator
36 or supervisor from requiring that a school employee or agent inform such
37 educational institution, governing body, administrator or supervisor as to
38 any requests for information or testimony made by the office of education
39 inspector general pursuant to this act;

40 (B) permit a school employee or agent to leave assigned work areas
41 during normal work hours without following applicable rules and
42 regulations and policies pertaining to leave, unless the school employee or
43 agent is requested by the office of education inspector general to appear at

1 a meeting with officials of such office;

2 (C) authorize a school employee or agent to represent such
3 employee's or agent's personal opinions as the opinions of the educational
4 institution, governing body, administrator or supervisor; or

5 (D) prohibit disciplinary action of a school employee or agent who
6 discloses information that is confidential or privileged under statute or
7 court rule, exempt from required disclosure the Kansas open records act or
8 is false or disclosed with reckless disregard for truth or falsity.

9 (f) No educational institution, governing body, administrator or
10 supervisor shall retaliate against a whistleblower for reporting suspected
11 professional misconduct, criminal misconduct or violations of this act.

12 (g) The office of education inspector general shall investigate
13 credible allegations of retaliation against an individual who reported
14 suspected professional misconduct, criminal misconduct or violations of
15 this act.

16 (h) Engaging in retaliation is a violation of this act and may result in
17 penalties as provided in section 13, and amendments thereto.

18 (i) Nothing in this section shall be construed to limit a
19 whistleblower's rights and protections under any other provision of law.

20 New Sec. 8. (a) In addition to the requirements of K.S.A. 38-2223,
21 and amendments thereto, any school employee, agent, administrator,
22 supervisor or governing body who reasonably suspects, observes or
23 receives a credible report of criminal misconduct shall immediately report
24 such misconduct to the appropriate law enforcement agency as soon as
25 practicable. An individual making such report may notify such individual's
26 supervisor, administrator, governing body or educational institution
27 attorney only after making such report or if such individual needs
28 assistance in making such report.

29 (b) No educational institution, governing body, administrator or
30 supervisor shall:

31 (1) Initiate an internal investigation until the report required by
32 subsection (a) is made; or

33 (2) delay or interfere in the reporting required by subsection (a). Any
34 such delay or interference may be investigated by the office of education
35 inspector general and a violation of this act.

36 (c) Any educational institution, governing body, administrator or
37 supervisor who knowingly fails to report or suppresses or withholds
38 information regarding criminal misconduct may be referred to the attorney
39 general or district or county attorney and subject to penalties.

40 (d) Law enforcement agencies shall notify the office of education
41 inspector general when such agencies initiate an investigation of a school
42 employee, agent, administrator, supervisor or governing body for criminal
43 misconduct or such agencies suspect retaliation against an individual who

1 reported suspected criminal misconduct. Such notice may be provided
2 through the reporting portal established pursuant to section 7, and
3 amendments thereto. Law enforcement agencies shall provide such notice
4 even if such information was provided to the office of education inspector
5 general by another individual or entity.

6 (e) Each law enforcement agency that receives a report of criminal
7 misconduct by a school employee or agent shall conduct a timely,
8 thorough and impartial investigation of such misconduct. Failure to
9 conduct such investigation may be investigated by the office of attorney
10 general.

11 (f) No school employee, agent, educational institution, governing
12 body, administrator or supervisor shall interfere, obstruct or delay a law
13 enforcement investigation.

14 New Sec. 9. (a) (1) The education inspector general shall establish
15 and maintain an education misconduct registry of licensed teachers and
16 unlicensed non-educator school staff and agents who have been:

17 (A) Convicted of, or entered into a diversion agreement after having
18 been charged with any offense described in chapter 21 of the Kansas
19 Statutes Annotated, and amendments thereto, of an act in another
20 jurisdiction that is comparable to an offense described in chapter 21 of the
21 Kansas Statutes Annotated, and amendments thereto; or

22 (B) found to have engaged in professional misconduct after an
23 investigation pursuant to this act, including investigations of professional
24 misconduct that occurred prior to July 1, 2026.

25 (2) Any individual who meets the requirements of paragraph (1) shall
26 register with the office of education inspector general within 30 business
27 days of conviction, entering into a diversion agreement pursuant to
28 paragraph (1)(A) or notice of any final determination by the education
29 inspector general, an educational institution, governing body or state
30 agency that such individual engaged in professional misconduct pursuant
31 to paragraph (1)(B). Failure to register is a violation of this act and shall
32 not prohibit the education inspector general from including the individual
33 on the education misconduct registry.

34 (3) The office of education inspector general shall notify an
35 individual who meets the requirements of paragraph (1) of the duty to
36 register. The individual may appeal the requirement to register within 15
37 business days of such notice, and such appeal shall be conducted and
38 decided upon in accordance with the Kansas administrative procedure act.
39 The decision may be appealed to the district court.

40 (b) The education misconduct registry shall include the following
41 registrant information:

42 (1) Name and all aliases;
43 (2) date and city, state and country of birth;

- 1 (3) all professional licenses, designations and certifications;
- 2 (4) educational institution where the professional misconduct or
- 3 criminal misconduct occurred;
- 4 (5) role with the educational institution when the professional
- 5 misconduct or criminal misconduct occurred;
- 6 (6) nature, category and date of the professional misconduct or
- 7 criminal misconduct;
- 8 (7) outcome and disciplinary action taken by any educational
- 9 institution, governing body, administrator, supervisor, court, attorney
- 10 general, education inspector general, licensing body or any other state
- 11 agency as a result of any investigation of the professional misconduct or
- 12 criminal misconduct;
- 13 (8) current employment status with the educational institution where
- 14 the professional misconduct or criminal misconduct occurred; and
- 15 (9) office of education inspector general investigation reference
- 16 number.

17 (c) The education misconduct registry shall not include any

18 personally identifiable information of any victim of professional

19 misconduct or criminal misconduct or individual who reported

20 misconduct. The registry may include aggregate or summarized

21 information to preserve the confidentiality of such personally identifiable

22 information.

23 (d) The education misconduct registry shall be:

- 24 (1) Public and clearly and prominently linked on the websites of the
- 25 office of education inspector general, state department of education and
- 26 attorney general;
- 27 (2) in compliance with the Americans with disabilities act of 1990
- 28 and accessible by mobile devices;
- 29 (3) searchable by name, educational institution and type of
- 30 misconduct;
- 31 (4) updated as often as is necessary to maintain accurate information;
- 32 and
- 33 (5) maintained in a uniform and standardized format.

34 (e) (1) An individual may be removed from the registry:

- 35 (A) Five years from the date of registration if the education inspector
- 36 general determines that such individual:
 - 37 (i) Has not been found to have engaged in subsequent professional
 - 38 misconduct or criminal misconduct;
 - 39 (ii) does not pose a threat to student safety, as determined by the
 - 40 office of education inspector general; and
 - 41 (iii) has never been convicted of a crime listed in K.S.A. 72-2165(a)
 - 42 or (b), and amendments thereto; or
- 43 (B) the individual files a petition for relief from registration

1 requirements and the education inspector general determines, after a
2 hearing on such petition in accordance with the administrative procedure
3 act, that the individual should be removed from the registry.

4 (2) Except as otherwise provided in this subsection, the education
5 inspector general shall determine the duration of an individual's
6 registration requirement and the conditions when registration may be
7 terminated.

8 (f) Any individual responsible for hiring a school employee shall
9 review the education misconduct registry prior to offering employment as
10 a school employee to any individual.

11 New Sec. 10. (a) The state board of education shall:

12 (1) Cooperate with the office of education inspector general with
13 regard to any investigation, audit or oversight review initiated under this
14 act. Such cooperation includes, but is not limited to, timely submission of
15 documents, records, emails, personnel files and internal communications,
16 full and accurate responses to questions, production of witnesses,
17 provision of accurate and timely testimony and compliance with any
18 subpoena issued pursuant to this act;

19 (2) immediately refer reports of professional misconduct to the office
20 of education inspector general and criminal misconduct to law
21 enforcement for investigation;

22 (3) maintain educator licensure records;

23 (4) consider recommendations from the office of education inspector
24 general with regard to suspensions, revocations and denials of educator
25 licensure;

26 (5) ensure that an educator's licensure status on the registry is correct
27 and, if necessary, report updates in a timely manner;

28 (6) provide annual training to governing bodies, administrators,
29 supervisors and human resources employees on the requirements of this
30 act, including, but not limited to, reporting requirements, whistleblower
31 protections and coordination with law enforcement and the office of
32 education inspector general. The state board of education shall certify to
33 the office of education inspector general that such training has been
34 completed;

35 (7) provide policy guidance to educational institutions on school
36 employee and agent training, preemployment screenings, record retention
37 and making reports to the office of education inspector general. Such
38 policy guidance on training shall include, but not be limited to, mandated
39 reporter training, title IX training and professional conduct training; and

40 (8) suspend or terminate the license of any educator who is found to
41 have engaged in professional or criminal misconduct after an investigation
42 pursuant to this act or who has been subject to license suspension or
43 revocation in another state;

1 (b) The state board of education shall not:
2 (1) Conduct investigations into matters under investigation by the
3 office of education inspector general;
4 (2) maintain a public database of educator misconduct; or
5 (3) issue or renew any educator license unless the applicant for such
6 licensure has complied with the training requirements of this act.
7 (c) Any member of the state board of education or employee of the
8 state department of education who violates this act shall be referred to the
9 office of education inspector general or attorney general and subject to
10 penalties as provided by law.

11 New Sec. 11. (a) Educational institutions shall:

12 (1) Provide and document annual training to school employees and
13 agents on:

14 (A) Whistleblower protections;
15 (B) the duty to report professional and criminal misconduct and
16 reporting procedures;
17 (C) recognizing and reporting sexual misconduct and grooming;
18 (D) obligations as a mandated reporter; and
19 (E) obligations as a school employee or agent under this act;

20 (2) provide written notice of whistleblower protections and
21 procedures to all school employees and agents and post such notice on the
22 educational institution's website and at each attendance center of the
23 educational institution;

24 (3) cooperate with the office of education inspector general with
25 regard to any investigation, audit or oversight review initiated under this
26 act. Such cooperation includes, but is not limited to, timely submission of
27 documents, records, emails, personnel files and internal communications,
28 full and accurate responses to questions, production of witnesses,
29 provision of accurate and timely testimony and compliance with any
30 subpoena issued pursuant to this act;

31 (4) annually certify to the state board of education and the office of
32 education inspector general that all contracts, agreements, policies,
33 procedures and guidelines are in compliance with this act;

34 (5) ensure that students affected by any misconduct have access to
35 trauma-informed support services. Such services shall be delivered within
36 five school days of the report or discovery of misconduct and at no cost to
37 the student or the student's family. A licensed professional certified to
38 provide mental health, trauma recovery or counseling services to minors
39 shall provide such services in a way that is culturally responsive,
40 developmentally appropriate and accessible regardless of the student's
41 abilities, language or background.

42 (6) prior to any hiring decision, review the registry established in
43 section 9, and amendments thereto, and the national association of state

1 directors of teacher education and certification clearinghouse;

2 (7) fully and truthfully disclose to such other institution whether a
3 school employee or agent was investigated for professional misconduct or
4 criminal misconduct, resigned, retired or was terminated because of any
5 such investigation or was referred to law enforcement, the state board of
6 education or the office of education inspector general for any such
7 misconduct. No educational institution or individual acting on behalf of an
8 educational institution shall be liable for any disclosure made in good faith
9 and without malice under this paragraph; and

10 (8) annually submit a report to the office of education inspector
11 general in a manner determined by the education inspector general. Such
12 report shall include:

13 (A) Certification that all school employees and agents received the
14 training required by paragraph (1);

15 (B) forms signed by the educational institution superintendent or head
16 administrator, human resources officers and any mandated reporter
17 attesting that such individual received the the training materials on and
18 understand the mandatory reporting requirements and whistleblower
19 protections; and

20 (C) certification that any agreement, contract, policy or procedure of
21 the educational institution conforms to the requirements of this act.

22 (b) School districts shall report to the state department of education
23 within seven business days of receiving a credible allegation or
24 substantiated finding that professional misconduct or criminal misconduct
25 occurred or a school employee resigned, retired or was terminated due to
26 any such misconduct. Such report shall be made even if a report is made to
27 law enforcement or the office of education inspector general as provided in
28 this act. No school district shall delay or fail to make the report required by
29 this subsection because of any internal review, pending legal negotiation or
30 settlement discussion or administrative uncertainty.

31 (c) No educational institution, governing body or administrator shall:

32 (1) Assist a school employee or former employee in obtaining new
33 employment if such institution, body or administrator knows or has
34 probable cause to believe that such employee engaged in sexual
35 misconduct with a student, even if unresolved or not adjudicated.
36 Assistance under this paragraph means providing confidential settlement
37 regarding the misconduct, failure to report the misconduct or providing
38 neutral or misleading recommendations or references on behalf of the
39 employee; or

40 (2) enter into an agreement that suppresses, conceals, delays or
41 prohibits the disclosure of information related to a current or former school
42 employee's professional misconduct or criminal misconduct, except that
43 information regarding any student or individual making a report shall be

1 confidential. Agreements under this paragraph include employment
2 contracts, severance packages, nondisclosure agreements, settlement
3 agreements, memoranda of understanding, side letters or other negotiated
4 instruments.

5 (d) Any refusal to comply with this section, intentional delay,
6 concealment or obstruction is a violation of this act and may result in
7 referral to the state department of education, attorney general or result in
8 penalties.

9 New Sec. 12. On and after July 1, 2026, all applicants for licensure or
10 license renewal with the state board of education and applicants for
11 employment at an educational institution shall be fingerprinted and submit
12 to a state and national criminal history record check in accordance with
13 K.S.A. 22-4714, and amendments thereto.

14 New Sec. 13. (a) In addition to any other penalty provided by law,
15 any individual or governing body who violates any provision of this act
16 may be subject to:

17 (1) A civil penalty of up to \$25,000 for each violation as determined
18 by the attorney general;

19 (2) public censure by the education inspector general;

20 (3) disqualification from licensure as an educator or administrator;
21 and

22 (4) registration on the educator misconduct registry as provided in
23 section 9, and amendments thereto.

24 (b) In determining the amount of the civil penalty, the attorney
25 general shall consider:

26 (1) The extent of harm caused by the violation;

27 (2) the nature and persistence of the violation;

28 (3) the length of time over which the violation occurred;

29 (4) any corrective actions taken; and

30 (5) any other relevant circumstances.

31 (c) All civil penalties assessed shall be due and payable within 10
32 days after written notice of assessment is served on the individual, unless a
33 longer period of time is granted by the attorney general. If a civil penalty is
34 not paid within the applicable time period, the attorney general may file a
35 certified copy of the notice of assessment with the clerk of the district
36 court in the county where such individual is located or such violation
37 occurred. The notice of assessment shall be enforced in the same manner
38 as a judgment of the district court.

39 (d) No civil penalty shall be imposed pursuant to this section until
40 after notice and a hearing, if a hearing is requested, in accordance with the
41 provisions of the Kansas administrative procedure act. Judicial review and
42 civil enforcement of agency actions under this act shall be in accordance
43 with the Kansas judicial review act.

1 (e) Any civil penalty recovered pursuant to this section shall be
2 remitted to the state treasurer in accordance with the provisions of K.S.A.
3 75-4215, and amendments thereto. Upon receipt of each such remittance,
4 the state treasurer shall deposit the entire amount in the state treasury to
5 the credit of the state general fund.

6 New Sec. 14. (a) (1) This act shall be construed liberally to protect
7 students, promote transparency and prevent individuals with a history of
8 misconduct from working in educational institutions.

9 (2) This act shall not be construed to supersede any laws in existence
10 on July 1, 2026, that govern the conduct of educators, school employees or
11 agents of educational institutions. This act shall be construed to enhance
12 coordination, transparency and enforcement of such existing laws.

13 (b) No term, condition or other provision of an agreement that
14 purports to waive or limit an educational institution's obligations under this
15 act shall be valid or enforceable. If a term, condition or other provision of
16 an agreement is determined to be invalid, unenforceable or void, such
17 term, condition or provision shall not affect the validity or enforceability
18 of any other provision of such agreement.

19 (c) In the event of a conflict between this act and any other law, this
20 act shall govern unless the other law provides greater protections to
21 students.

22 Sec. 15. K.S.A. 2025 Supp. 22-4714 is hereby amended to read as
23 follows: 22-4714. (a) A governmental agency other than a criminal justice
24 agency as defined in K.S.A. 22-4701, and amendments thereto, identified
25 in subsection (b) may require a person to be fingerprinted and shall submit
26 such fingerprints to the Kansas bureau of investigation and the federal
27 bureau of investigation for a search of the state and federal database.
28 Fingerprints provided pursuant to this section may be used to identify a
29 person and to determine whether such person has a record of criminal
30 history in this state or in another jurisdiction. An agency identified in
31 subsection (b) may use the information obtained from the criminal history
32 record check for the purposes of verifying the identification of a person
33 and in the official determination of the qualifications and fitness of such
34 person to be issued or maintain employment, licensure, registration,
35 certification or a permit, act as an agent of a licensee, hold ownership of a
36 licensee or serve as a director or officer of a licensee.

37 (b) (1) The Kansas bureau of investigation shall release criminal
38 history record information related to adult convictions, adult non-
39 convictions, adult diversions, adult expunged records, juvenile
40 adjudications, juvenile non-adjudications, juvenile diversions and juvenile
41 expunged records to:

42 (A) The Kansas department for children and families or the Kansas
43 department for aging and disability services for initial or continuing

1 employment or participation in any program administered for the
2 placement, safety, protection or treatment of vulnerable children or adults
3 as described in K.S.A. 75-53,105, and amendments thereto;

4 (B) the attorney general for applicants as defined in K.S.A. 75-7b01,
5 and amendments thereto, in connection with such application as described
6 in K.S.A. 75-7b04 and 75-7b17, and amendments thereto;

7 (C) the attorney general for applicants as defined in K.S.A. 75-7c02,
8 and amendments thereto, in connection with such application as described
9 in K.S.A. 75-7c05, and amendments thereto;

10 (D) the attorney general for applicants as defined in K.S.A. 75-7b01,
11 and amendments thereto, in connection with such application for
12 certification as described in K.S.A. 75-7b21, and amendments thereto; and

13 (E) the attorney general for applicants as defined in K.S.A. 7e01, and
14 amendments thereto, in connection with such application as described in
15 K.S.A. 75-7e03, and amendments thereto.

16 (2) The Kansas bureau of investigation shall release criminal history
17 record information related to adult convictions, adult non-convictions,
18 adult diversions, adult expunged records and juvenile expunged records to:

19 (A) The state lottery for candidates for employees as defined in
20 K.S.A. 74-8702, and amendments thereto, in connection with such
21 employment as described in K.S.A. 74-8704, and amendments thereto; and

22 (B) the Kansas racing and gaming commission for candidates for
23 employees or licensees as defined in K.S.A. 74-8802, and amendments
24 thereto, in connection with such employment or license as described in
25 K.S.A. 74-8804, and amendments thereto, including an applicant for a
26 simulcasting license.

27 (3) The Kansas bureau of investigation shall release criminal history
28 record information related to adult convictions, adult non-convictions,
29 adult diversions, adult expunged records, juvenile adjudications, juvenile
30 non-adjudications and juvenile diversions to:

31 (A) The emergency medical services board for applicants as defined
32 in K.S.A. 65-6129, and amendments thereto, in connection with such
33 application as described in K.S.A. 65-6129, and amendments thereto;

34 (B) the department of administration for candidates for sensitive
35 employees as defined in K.S.A. 75-3707e, and amendments thereto, in
36 connection with such employment as described in K.S.A. 75-3707e, and
37 amendments thereto; and

38 (C) the state gaming agency for candidates for employees and
39 licensees as defined in K.S.A. 74-9802, and amendments thereto, in
40 connection with such employment or license as described in K.S.A. 74-
41 9805, and amendments thereto.

42 (4) The Kansas bureau of investigation shall release criminal history
43 record information related to adult convictions, adult non-convictions,

1 adult diversions and adult expunged records to:

2 (A) The supreme court and state board of law examiners for
3 applicants as defined in K.S.A. 7-127, and amendments thereto, in
4 connection with such application as described in K.S.A. 7-127, and
5 amendments thereto; ~~and~~

6 (B) the commission on peace officers' standards and training for
7 applicants for certification under the Kansas law enforcement training act
8 as described in K.S.A. 74-5607, and amendments thereto;

9 (C) *the state board of education for applicants for licensure as
10 defined in section 2, and amendments thereto, in connection with such
11 application as described in section 12, and amendments thereto;*

12 (D) *educational institutions for candidates for school employees as
13 defined in section 2, and amendments thereto, in connection with such
14 employment as described in section 12, and amendments thereto; and*

15 (E) *the education inspector general for licensees as defined in section
16 2, and amendments thereto, in connection with an investigation described
17 in section 6, and amendments thereto.*

18 (5) The Kansas bureau of investigation shall release criminal history
19 record information related to adult convictions, adult non-convictions,
20 adult diversions and juvenile adjudications to:

21 (A) The athletic commission within the Kansas department of
22 commerce for a candidate for boxing commission as defined in K.S.A. 74-
23 50,182, and amendments thereto, in connection with such appointment as
24 described in K.S.A. 74-50,184, and amendments thereto;

25 (B) the secretary of health and environment for employees at a child
26 care facility as defined in K.S.A. 65-503, and amendments thereto, in
27 connection with such employment as described in K.S.A. 65-516, and
28 amendments thereto;

29 (C) the secretary of commerce for final applicants for a sensitive
30 position or employees in a sensitive position as defined in K.S.A. 2025
31 Supp. 74-5005a, and amendments thereto, in connection with such
32 employment as described in K.S.A. 2025 Supp. 74-5005a, and
33 amendments thereto;

34 (D) the secretary of labor for employees as defined in K.S.A. 75-
35 5702, and amendments thereto, in connection with such employment as
36 described in K.S.A. 75-5702, and amendments thereto; and

37 (E) the state bank commissioner for any officer, partner, member,
38 owner, principal or director of an applicant or registrant in connection with
39 such application or registration as described in K.S.A. 2025 Supp. 9-2411,
40 and amendments thereto.

41 (6) The Kansas bureau of investigation shall release criminal history
42 record information related to adult convictions and juvenile adjudications
43 to:

1 (A) The secretary for aging and disability services for applicants as
2 defined in K.S.A. 39-970, and amendments thereto, in connection with
3 such application as described in K.S.A. 39-970, and amendments thereto;

4 (B) the Kansas department for aging and disability services for
5 applicants as defined in K.S.A. 39-2009, and amendments thereto, in
6 connection with such application as described in K.S.A. 39-2009, and
7 amendments thereto; and

8 (C) the secretary for aging and disability services for applicants as
9 defined in K.S.A. 65-5117, and amendments thereto, in connection with
10 such application as described in K.S.A. 65-5117, and amendments thereto.

11 (7) The Kansas bureau of investigation shall release criminal history
12 record information related to adult convictions and adult non-convictions
13 to:

14 (A) The division of motor vehicles within the department of revenue
15 for applicants for reinstatement of a license to drive a commercial motor
16 vehicle as described in K.S.A. 8-2,142, and amendments thereto;

17 (B) the board of examiners in optometry for applicants or licensees as
18 defined in K.S.A. 65-1501, and amendments thereto, in connection with
19 such application or an investigation as described in K.S.A. 65-1505, and
20 amendments thereto;

21 (C) the board of pharmacy for fingerprint candidates as defined in
22 K.S.A. 65-1626, and amendments thereto, in connection with such
23 application or license as described in K.S.A. 65-1696, and amendments
24 thereto;

25 (D) the state board of healing arts for applicants or licensees as
26 defined in K.S.A. 65-2802, and amendments thereto, in connection with
27 such application or an investigation as described in K.S.A. 65-28,129, and
28 amendments thereto;

29 (E) the state board of healing arts for applicants or licensees as
30 defined in K.S.A. 65-2901, and amendments thereto, in connection with
31 such application or an investigation as described in K.S.A. 65-2924, and
32 amendments thereto;

33 (F) the board of nursing for applicants as defined in K.S.A. 74-1112,
34 and amendments thereto, in connection with such application as described
35 in K.S.A. 74-1112, and amendments thereto;

36 (G) the behavioral sciences regulatory board for licensees as defined
37 in K.S.A. 74-7511, and amendments thereto, in connection with such
38 application or license as described in K.S.A. 74-7511, and amendments
39 thereto;

40 (H) the state lottery for a vendor to whom a major procurement
41 contract is to be awarded in connection with an investigation as described
42 in K.S.A. 74-8705, and amendments thereto;

43 (I) the attorney general for appointees of the governor to positions

1 subject to confirmation by the senate and judicial appointees as described
2 in K.S.A. 75-712, and amendments thereto;

3 (J) appointing authorities as defined in K.S.A. 75-4315d, and
4 amendments thereto, for nongubernatorial appointees as described in
5 K.S.A. 75-4315d, and amendments thereto;

6 (K) the Kansas real estate commission for applicants as defined in
7 K.S.A. 58-3035, and amendments thereto, or for licensees as defined in
8 K.S.A. 58-3035, and amendments thereto, in connection with an
9 investigation as described in K.S.A. 58-3039, and amendments thereto;

10 (L) the insurance commissioner for applicants for licensure as an
11 insurance agent as defined in K.S.A. 40-4902, and amendments thereto, in
12 connection with such application as described in K.S.A. 40-4905, and
13 amendments thereto;

14 (M) the insurance commissioner for applicants as defined in K.S.A.
15 40-5501, and amendments thereto, in connection with such application as
16 described in K.S.A. 40-5505, and amendments thereto; and

17 (N) the state bank commissioner for applicants in control of a
18 licensee, licensees or key individuals as defined in K.S.A. 2025 Supp. 9-
19 555, and amendments thereto, in connection with such application as
20 described in K.S.A. 2025 Supp. 9-565, and amendments thereto.

21 (8) The Kansas bureau of investigation shall release criminal history
22 record information related to adult convictions to:

23 (A) The department of agriculture for hemp employees as defined in
24 K.S.A. 2-3901, and amendments thereto, in connection with such
25 employment as described in K.S.A. 2-3902, and amendments thereto;

26 (B) the department of agriculture for applicants for licensure as a
27 hemp producer as defined in K.S.A. 2-3901, and amendments thereto, in
28 connection with such application as described in K.S.A. 2-3906, and
29 amendments thereto;

30 (C) the office of state fire marshal for applicants for registration as a
31 hemp processor as defined in K.S.A. 2-3901, and amendments thereto, in
32 connection with such application as described in K.S.A. 2-3907, and
33 amendments thereto;

34 (D) the department of agriculture for hemp destruction employees as
35 defined in K.S.A. 2-3901, and amendments thereto, in connection with
36 such employment as described in K.S.A. 2-3911, and amendments thereto;

37 (E) the bank commissioner for any applicant as defined in K.S.A. 9-
38 508, and amendments thereto, in connection with such application as
39 described in K.S.A. 9-509, and amendments thereto;

40 (F) the bank commissioner for an applicant for employment as a new
41 executive officer or director with a money transmitter company as
42 described in K.S.A. 9-513e, and amendments thereto;

43 (G) the bank commissioner for any applicant as defined in K.S.A. 9-

1 1719, and amendments thereto, in connection with such application as
2 described in K.S.A. 9-1722, and amendments thereto;

3 (H) the bank commissioner for an applicant, registrant or licensee as
4 defined in K.S.A. 9-2201, and amendments thereto, in connection with
5 such application, registration or license as described in K.S.A. 9-2209, and
6 amendments thereto;

7 (I) the state banking board for any officer, director or organizer of a
8 proposed fiduciary financial institution as defined in K.S.A. 9-2301, and
9 amendments thereto, in connection with such role as described in K.S.A.
10 9-2302, and amendments thereto;

11 (J) municipalities for applicants for merchant or security police as
12 described in K.S.A. 12-1679, and amendments thereto;

13 (K) the bank commissioner for applicants as defined in K.S.A. 16a-6-
14 104, and amendments thereto, in connection with such application as
15 described in K.S.A. 16a-6-104, and amendments thereto;

16 (L) the state department of credit unions for every candidate as
17 defined in K.S.A. 17-2234, and amendments thereto, in connection with
18 such employment as described in K.S.A. 17-2234, and amendments
19 thereto;

20 (M) the division of alcoholic beverage control within the department
21 of revenue for applicants as defined in K.S.A. 41-102, and amendments
22 thereto, in connection with such application as described in K.S.A. 41-
23 311b, and amendments thereto;

24 (N) the division of post audit for employees as defined in K.S.A. 46-
25 1103, and amendments thereto, in connection with such employment as
26 described in K.S.A. 46-1103, and amendments thereto;

27 (O) the bank commissioner for licensees as defined in K.S.A. 50-
28 1126, and amendments thereto, in connection with such license as
29 described in K.S.A. 50-1128, and amendments thereto;

30 (P) the real estate appraisal board for licensees as defined in K.S.A.
31 58-4102, and amendments thereto, in connection with an application or
32 investigation as described in K.S.A. 58-4127, and amendments thereto;

33 (Q) the real estate appraisal board for applicants as defined in K.S.A.
34 58-4703, and amendments thereto, in connection with such application as
35 described in K.S.A. 58-4709, and amendments thereto;

36 (R) the department of health and environment for an employee as
37 defined in K.S.A. 65-2401, and amendments thereto, in connection with
38 such employment as described in K.S.A. 65-2402, and amendments
39 thereto;

40 (S) the Kansas office of veterans services for candidates as defined in
41 K.S.A. 73-1210a, and amendments thereto, in connection with an
42 application as described in K.S.A. 73-1210a, and amendments thereto;

43 (T) a senate standing committee for a member named, appointed or

1 elected to the public employee retirement systems board of trustee
2 membership as described in K.S.A. 74-4905, and amendments thereto;

3 (U) the department of revenue for employees as defined in K.S.A. 75-
4 5133c, and amendments thereto, in connection with such employment as
5 described in K.S.A. 75-5133c, and amendments thereto;

6 (V) the division of motor vehicles within the department of revenue
7 for employees as defined in K.S.A. 75-5156, and amendments thereto, in
8 connection with such employment as described in K.S.A. 75-5156, and
9 amendments thereto;

10 (W) the Kansas commission for the deaf and hard of hearing for
11 applicants as defined in K.S.A. 75-5397f, and amendments thereto, in
12 connection with such application as described in K.S.A. 75-5393a, and
13 amendments thereto;

14 (X) the Kansas commission for the deaf and hard of hearing for
15 employees as defined in K.S.A. 75-5397f, and amendments thereto, in
16 connection with such employment as described in K.S.A. 75-5393c, and
17 amendments thereto;

18 (Y) the department of health and environment for employees as
19 defined in K.S.A. 75-5609a, and amendments thereto, in connection with
20 such employment as described in K.S.A. 75-5609a, and amendments
21 thereto; and

22 (Z) an executive branch agency head for employees as defined in
23 K.S.A. 75-7241, and amendments thereto, in connection with such
24 employment as described in K.S.A. 75-7241, and amendments thereto.

25 (c) State and local law enforcement agencies shall assist with taking
26 fingerprints of individuals as authorized by this section.

27 (d) Any board, commission, committee or other public body shall
28 recess into a closed executive session pursuant to K.S.A. 75-4319, and
29 amendments thereto, to receive and discuss criminal history record
30 information obtained pursuant to this section.

31 (e) The Kansas bureau of investigation may charge a reasonable fee
32 for conducting a criminal history record check.

33 (f) (1) Fingerprints and criminal history record information received
34 pursuant to this section shall be confidential and shall not be subject to the
35 provisions of the Kansas open records act, K.S.A. 45-215 et seq., and
36 amendments thereto. The provisions of this paragraph shall expire on July
37 1, 2029, unless the legislature reviews and reenacts this provision pursuant
38 to K.S.A. 45-229, and amendments thereto, prior to July 1, 2029.

39 (2) Disclosure or use of any information received pursuant to this
40 section for any purpose other than the purpose described in this section
41 shall be a class A nonperson misdemeanor and shall constitute grounds for
42 removal from office.

43 Sec. 16. K.S.A. 2025 Supp. 75-702 is hereby amended to read as

1 follows: 75-702. (a) The attorney general shall appear for the state, and
2 prosecute and defend any and all actions and proceedings, civil or
3 criminal, in the Kansas supreme court, the Kansas court of appeals and in
4 all federal courts, in which the state shall be interested or a party, and shall,
5 when so appearing, control the state's prosecution or defense.

6 (b) The attorney general shall also, when required by the governor or
7 either branch of the legislature, appear for the state and prosecute or
8 defend, in any other court or before any officer, in any cause or matter,
9 civil or criminal, in which this state may be a party or interested or when
10 the constitutionality of any law of this state is at issue and when so
11 directed shall seek final resolution of such issue in the supreme court of
12 the state of Kansas.

13 (c) (1) The attorney general shall have authority to prosecute any
14 matter related to a violation of K.S.A. 12-189 or 75-5133, and
15 amendments thereto, related to unlawful acts when the offender is an
16 officer or employee of a city or county.

17 (2) Notwithstanding any provision of law to the contrary, the attorney
18 general shall have concurrent authority with any county or district attorney
19 to prosecute *any crime that is codified in chapter 72 of the Kansas Statutes
Annotated, and amendments thereto, and the following crimes when they*
20 are part of an alleged course of criminal conduct that occurred in two or
21 more counties:

22 (A) Organized retail crime as defined in K.S.A. 2025 Supp. 21-5841,
23 and amendments thereto, and any other crime that is part of such alleged
24 course of criminal conduct;

25 (B) theft as defined in K.S.A. 21-5801, and amendments thereto;

26 (C) violations of the Kansas racketeer influenced and corrupt
27 organizations act, K.S.A. 21-6327 et seq., and amendments thereto; and

28 (D) any attempt, conspiracy or criminal solicitation as defined in
29 K.S.A. 21-5301, 21-5302 or 21-5303, and amendments thereto, of the
30 crimes described in subsection (c)(2)(A), (c)(2)(B) or (c)(2)(C).

31 Sec. 17. K.S.A. 2025 Supp. 22-4714 and 75-702 are hereby repealed.

32 Sec. 18. This act shall take effect and be in force from and after its
33 publication in the statute book.