

SESSION OF 2026

SUPPLEMENTAL NOTE ON SENATE BILL NO. 373

As Amended by Senate Committee on Judiciary

Brief*

SB 373, as amended, would prohibit a public utility from permitting, allowing, or entering into an agreement that authorizes a law enforcement agency to attach, access, operate, maintain, or remove law enforcement equipment (equipment) on any utility pole or other structure that is owned or operated by the public utility for more than 60 days.

The bill would exclude from such limit:

- Agreements that are authorized by a lawfully issued warrant or court order; or
- Those utility poles or structures that are in a commercially zoned public area or any park or recreation area operated by a municipality as defined in continuing law.

The bill would require that, after 60 days, if no warrant or court order is issued, such equipment be removed as soon as reasonably possible and any evidence collected by such evidence after such 60 days be inadmissible in any legal proceeding.

The bill would define “law enforcement equipment” as any camera but would not include any non-video equipment or automatic license plate readers that destroy all data within 90 days unless specific data is retained as part of an open investigation.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

The bill would define the Kansas Bureau of Investigation (KBI) as a “law enforcement agency” for purposes of the bill. Continuing law includes city police departments, county sheriff’s departments, and county police departments as such agencies.

Background

The bill was introduced by the Senate Committee on Judiciary at the request of Senator Titus.

Senate Committee on Judiciary

In the Senate Committee hearing, representatives of ACLU of Kansas; KBI; and Kansas Justice Institute provided **proponent** testimony. Proponents stated the bill would limit the exposure of private information, protect civil rights, and encourage judicial review.

Written-only **neutral** testimony was provided by a representative of Kansas Municipal Utilities.

Opponent testimony was provided by representatives of Kansas Association of Chiefs of Police; Kansas Sheriffs Association; Kansas State Lodge Fraternal Order of Police; and Wichita Police Department. Opponents stated enactment of the bill would significantly restrict lawful and effective tools for law enforcement, which would result in more crime and decrease public safety.

No other testimony was provided.

The Senate Committee amended the bill to:

- Increase the maximum length of time for law enforcement to attach, access, operate, maintain, or remove law enforcement equipment on any

utility pole or other public utility structure under such agreements from 30 days to 60 days;

- Remove subpoena from the list of documents that may be used to authorize law enforcement to operate law equipment on utility poles or structures;
- Add KBI to the definition of “law enforcement agency”; and
- Define “law enforcement equipment.”

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Kansas Corporation Commission and the Citizens’ Utility Ratepayer Board indicate that enactment of the bill would have no fiscal impact on operations.

The League of Kansas Municipalities and the Kansas Association of Counties could not estimate a precise fiscal effect of enactment of the bill.

Judiciary; law enforcement; public utilities; evidence; surveillance equipment; utility poles