

SESSION OF 2017

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2301**

As Recommended by House Committee on  
Judiciary

**Brief\***

HB 2301 would continue in existence the following exceptions to the Kansas Open Records Act (KORA):

- KSA 2016 Supp. 9-513c, concerning state bank commissioner licensing information (persons engaged in money transmission);
- KSA 2016 Supp. 74-2012, concerning motor vehicle records;
- KSA 2016 Supp. 22-4909, concerning criminal offender registration;
- KSA 2016 Supp. 45-221(a)(51),(52), concerning home addresses of law enforcement officers and judges;
- KSA 2016 Supp. 65-1505, concerning criminal history records checks;
- KSA 2016 Supp. 74-5607, concerning peace officers standards and training;
- KSA 2016 Supp. 75-7d01, 75-7d05, concerning the batterer intervention program certification;
- KSA 2016 Supp. 75-5133, concerning charitable gaming and microdistillery information;

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\*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 <http://www.kslegislature.org>

- KSA 2016 Supp. 79-3234, concerning social security numbers;
- KSA 2016 Supp. 12-5374, concerning 911 provider information;
- KSA 2016 Supp. 75-7d08, concerning the batterer intervention program;
- KSA 2016 Supp. 12-5711, concerning the Fort Scott/Bourbon County Riverfront Authority;
- KSA 2016 Supp. 21-2511, concerning biological samples for the Kansas Bureau of Investigation;
- KSA 2016 Supp. 38-2313, concerning fingerprints and photographs of juvenile offenders;
- KSA 2016 Supp. 65-516, concerning child care facilities;
- KSA 2016 Supp. 74-8745, concerning the multistate lottery;
- KSA 2016 Supp. 74-8752, concerning the multistate lottery investigation and audit;
- KSA 2016 Supp. 74-8772, concerning the Kansas Racing and Gaming Commission; and
- KSA 2016 Supp. 75-7427, concerning the Office of Inspector General.

The bill would also remove the sunset date of July 1, 2021, placed on the following exceptions to KORA by the 2016 Legislature following its review of the exceptions:

- KSA 2016 Supp. 40-955, concerning insurance rate filings;
- KSA 2016 Supp. 45-221(a)(10)(F), concerning victims of sexual offenses;

- KSA 2016 Supp. 45-221(a)(50), concerning information provided to 911 Coordinating Council;
- KSA 2016 Supp. 65-4a05, concerning individual identification present in documents related to licensing of abortion clinics;
- KSA 2016 Supp. 65-445(g), concerning child sexual abuse reports;
- KSA 2016 Supp. 12-5611, concerning the Topeka/Shawnee County Riverfront Authority;
- KSA 2016 Supp. 22-4906, concerning criminal offender registration;
- KSA 2016 Supp. 22-4909, concerning criminal offender registration;
- KSA 2016 Supp. 38-2310, concerning records concerning certain juveniles;
- KSA 2016 Supp. 38-2311, concerning juvenile treatment records;
- KSA 2016 Supp. 38-2326, concerning juvenile offender information systems;
- KSA 2016 Supp. 44-1132, concerning discrimination in employment;
- KSA 2016 Supp. 60-3333, concerning environmental audit reports;
- KSA 2016 Supp. 65-6154, concerning emergency medical services reports;
- KSA 2016 Supp. 71-218, concerning community colleges and employee evaluation documents;
- KSA 2016 Supp. 75-457, concerning substitute mailing addresses;

- KSA 2016 Supp. 75-712c, concerning reports of missing persons;
- KSA 2016 Supp. 75-723, concerning the Abuse, Neglect, and Exploitation of Persons Unit in the Office of the Attorney General; and
- KSA 2016 Supp. 75-7c06, concerning concealed firearm records.

The bill would also remove a reference to a repealed statute.

### **Background**

A sunset provision for all exceptions to KORA was added in 2000, requiring a review of exceptions within five years or they would expire. The law also required any exceptions continued after legislative review to be reviewed again five years later. More recently, 2013 HB 2012 modified the review requirement so that exceptions would no longer be subject to review and expiration if the Legislature reviews and continues the exception during the 2013 Session or thereafter. However, 2016 Sub. for SB 22 continued certain exceptions as specified in that bill only until July 1, 2021.

The bill was introduced in the House Committee on Judiciary. In the House Committee hearing, staff presented an overview of the bill. No other testimony was presented.

The House Committee recommended the bill be placed on the Consent Calendar.

According to the fiscal note prepared by the Division of the Budget on the bill, enactment of the bill would have no fiscal effect.