

**SENATE BILL No. 454**

By Committee on Federal and State Affairs

2-17

1 AN ACT concerning open records; creating exemptions in the open  
2 records act for ~~election security records and cyber security records~~  
3 **cybersecurity assessments, cybersecurity plans and cybersecurity**  
4 **vulnerabilities**; amending K.S.A. 2019 Supp. 45-217 and 45-221 and  
5 repealing the existing ~~section~~ sections.  
6

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

8 **Section 1. K.S.A. 2019 Supp. 45-217 is hereby amended to read as**  
9 **follows: 45-217. As used in the open records act, unless the context**  
10 **otherwise requires:**

11 (a) **"Business day" means any day other than a Saturday, Sunday**  
12 **or day designated as a holiday by the congress of the United States, by**  
13 **the legislature or governor of this state or by the respective political**  
14 **subdivision of this state.**

15 (b) **"Clearly unwarranted invasion of personal privacy" means**  
16 **revealing information that would be highly offensive to a reasonable**  
17 **person, including information that may pose a risk to a person or**  
18 **property and is not of legitimate concern to the public.**

19 (c) **"Criminal investigation records" means: (1) Every audio or**  
20 **video recording made and retained by law enforcement using a body**  
21 **camera or vehicle camera as defined by K.S.A. 2019 Supp. 45-254, and**  
22 **amendments thereto; and (2) records of an investigatory agency or**  
23 **criminal justice agency as defined by K.S.A. 22-4701, and amendments**  
24 **thereto, compiled in the process of preventing, detecting or investigating**  
25 **violations of criminal law, but does not include police blotter entries,**  
26 **court records, rosters of inmates of jails or other correctional or**  
27 **detention facilities or records pertaining to violations of any traffic law**  
28 **other than vehicular homicide as defined by K.S.A. 21-3405, prior to its**  
29 **repeal, or K.S.A. 2019 Supp. 21-5406, and amendments thereto.**

30 (d) **"Custodian" means the official custodian or any person**  
31 **designated by the official custodian to carry out the duties of custodian**  
32 **of this act.**

33 (e) **"Cybersecurity assessment" means an investigation undertaken by**  
34 **a person, governmental body or other entity to identify vulnerabilities in**  
35 **cybersecurity plans.**

36 (f) **"Cybersecurity plan" means information about a person's**

1 information systems, network security, encryption, network mapping,  
2 access control, passwords, authentication practices, computer hardware  
3 or software or response to cybersecurity incidents.

4 (g) "Cybersecurity vulnerability" means a deficiency within computer  
5 hardware or software, or within a computer network or information  
6 system, that could be exploited by unauthorized parties for use against an  
7 individual computer user or a computer network or information system.

8 (h) "Official custodian" means any officer or employee of a public  
9 agency who is responsible for the maintenance of public records,  
10 regardless of whether such records are in the officer's or employee's  
11 actual personal custody and control.

12 ~~(i)~~(i) (1) "Public agency" means the state or any political or taxing  
13 subdivision of the state or any office, agency or instrumentality thereof,  
14 or any other entity receiving or expending and supported in whole or in  
15 part by the public funds appropriated by the state or by public funds of  
16 any political or taxing subdivision of the state.

17 (2) "Public agency" ~~shall~~ does not include:

18 (A) Any entity solely by reason of payment from public funds for  
19 property, goods or services of such entity; or (B) any municipal judge,  
20 judge of the district court, judge of the court of appeals or justice of the  
21 supreme court.

22 ~~(j)~~(j) (1) "Public record" means any recorded information,  
23 regardless of form, characteristics or location, which is made,  
24 maintained or kept by or is in the possession of:

25 (A) Any public agency; or

26 (B) any officer or employee of a public agency pursuant to the  
27 officer's or employee's official duties and which is related to the  
28 functions, activities, programs or operations of any public agency.

29 (2) "Public record" shall include, but not be limited to, an  
30 agreement in settlement of litigation involving the Kansas public  
31 employees retirement system and the investment of moneys of the fund.

32 (3) Notwithstanding the provisions of subsection ~~(j)~~ (j)(1), "public  
33 record" ~~shall~~ does not include:

34 (A) Records ~~which~~ that are owned by a private person or entity and  
35 are not related to functions, activities, programs or operations funded by  
36 public funds. As used in this subparagraph, "private person" ~~shall~~ does  
37 not include an officer or employee of a public agency who is acting  
38 pursuant to the officer's or employee's official duties;

39 (B) records ~~which~~ that are made, maintained or kept by an  
40 individual who is a member of the legislature or of the governing body  
41 of any political or taxing subdivision of the state; or

42 (C) records of employers related to the employer's individually  
43 identifiable contributions made on behalf of employees for workers

1 *compensation, social security, unemployment insurance or retirement.*  
2 *The provisions of this subparagraph shall not apply to records of*  
3 *employers of lump-sum payments for contributions as described in this*  
4 *subparagraph paid for any group, division or section of an agency.*

5 ~~(h)~~(k) *"Undercover agent" means an employee of a public agency*  
6 *responsible for criminal law enforcement who is engaged in the*  
7 *detection or investigation of violations of criminal law in a capacity*  
8 *where such employee's identity or employment by the public agency is*  
9 *secret.*

10 ~~Section 1.~~ *Sec. 2.* K.S.A. 2019 Supp. 45-221 is hereby amended to  
11 read as follows: 45-221. (a) Except to the extent disclosure is otherwise  
12 required by law, a public agency shall not be required to disclose:

13 (1) Records the disclosure of ~~which~~*that* is specifically prohibited or  
14 restricted by federal law, state statute or rule of the Kansas supreme court  
15 or rule of the senate committee on confirmation oversight relating to  
16 information submitted to the committee pursuant to K.S.A. 75-4315d, and  
17 amendments thereto, or the disclosure of which is prohibited or restricted  
18 pursuant to specific authorization of federal law, state statute or rule of the  
19 Kansas supreme court or rule of the senate committee on confirmation  
20 oversight relating to information submitted to the committee pursuant to  
21 K.S.A. 75-4315d, and amendments thereto, to restrict or prohibit  
22 disclosure.

23 (2) Records ~~which~~*that* are privileged under the rules of evidence,  
24 unless the holder of the privilege consents to the disclosure.

25 (3) Medical, psychiatric, psychological or alcoholism or drug  
26 dependency treatment records ~~which~~*that* pertain to identifiable patients.

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

33 (5) Information ~~which~~*that* would reveal the identity of any  
34 undercover agent or any informant reporting a specific violation of law.

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

38 (7) Library, archive and museum materials contributed by private  
39 persons, to the extent of any limitations imposed as conditions of the  
40 contribution.

41 (8) Information ~~which~~*that* would reveal the identity of an individual  
42 who lawfully makes a donation to a public agency, if anonymity of the  
43 donor is a condition of the donation, except if the donation is intended for

1 or restricted to providing remuneration or personal tangible benefit to a  
2 named public officer or employee.

3 (9) Testing and examination materials, before the test or examination  
4 is given or if it is to be given again, or records of individual test or  
5 examination scores, other than records which show only passage or failure  
6 and not specific scores.

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

11 (A) Is in the public interest;

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

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

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

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

19 (F) would not reveal the name, address, phone number or any other  
20 information ~~which~~ *that* specifically and individually identifies the victim  
21 of any sexual offense in article 35 of chapter 21 of the Kansas Statutes  
22 Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas  
23 Statutes Annotated, and amendments thereto.

24 If a public record is discretionarily closed by a public agency pursuant  
25 to this subsection, the record custodian, upon request, shall provide a  
26 written citation to the specific provisions of paragraphs (A) through (F)  
27 that necessitate closure of that public record.

28 (11) Records of agencies involved in administrative adjudication or  
29 civil litigation, compiled in the process of detecting or investigating  
30 violations of civil law or administrative rules and regulations, if disclosure  
31 would interfere with a prospective administrative adjudication or civil  
32 litigation or reveal the identity of a confidential source or undercover  
33 agent.

34 (12) Records of emergency or security information or procedures of a  
35 public agency, ***if disclosure would jeopardize public safety, including***  
36 ***records of cybersecurity plans, cybersecurity assessments and***  
37 ***cybersecurity vulnerabilities or procedures related to cybersecurity***  
38 ***plans, cybersecurity assessments and cybersecurity vulnerabilities,*** or  
39 plans, drawings, specifications or related information for any building or  
40 facility ~~which~~ *that* is used for purposes requiring security measures in or  
41 around the building or facility or ~~which~~ *that* is used for the generation or  
42 transmission of power, water, fuels or communications, if disclosure would  
43 jeopardize security of the public agency, building or facility.

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

4 (14) Correspondence between a public agency and a private  
5 individual, other than correspondence ~~which~~*that* is intended to give notice  
6 of an action, policy or determination relating to any regulatory, supervisory  
7 or enforcement responsibility of the public agency or ~~which~~*that* is widely  
8 distributed to the public by a public agency and is not specifically in  
9 response to communications from such a private individual.

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

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

16 (A) The information ~~which~~*that* the agency maintains on computer  
17 facilities; and

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

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

23 (18) Plans, designs, drawings or specifications ~~which~~*that* are  
24 prepared by a person other than an employee of a public agency or records  
25 ~~which~~*that* are the property of a private person.

26 (19) Well samples, logs or surveys ~~which~~*that* the state corporation  
27 commission requires to be filed by persons who have drilled or caused to  
28 be drilled, or are drilling or causing to be drilled, holes for the purpose of  
29 discovery or production of oil or gas, to the extent that disclosure is  
30 limited by rules and regulations of the state corporation commission.

31 (20) Notes, preliminary drafts, research data in the process of  
32 analysis, unfunded grant proposals, memoranda, recommendations or  
33 other records in which opinions are expressed or policies or actions are  
34 proposed, except that this exemption shall not apply when such records are  
35 publicly cited or identified in an open meeting or in an agenda of an open  
36 meeting.

37 (21) Records of a public agency having legislative powers, which  
38 records pertain to proposed legislation or amendments to proposed  
39 legislation, except that this exemption shall not apply when such records  
40 are:

41 (A) Publicly cited or identified in an open meeting or in an agenda of  
42 an open meeting; or

43 (B) distributed to a majority of a quorum of any body ~~which~~*that* has

1 authority to take action or make recommendations to the public agency  
2 with regard to the matters to which such records pertain.

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

6 (A) Publicly cited or identified in an open meeting or in an agenda of  
7 an open meeting; or

8 (B) distributed to a majority of a quorum of any body ~~which~~*that* has  
9 authority to take action or make recommendations to the public agency  
10 with regard to the matters to which such records pertain.

11 (23) Library patron and circulation records ~~which~~*that* pertain to  
12 identifiable individuals.

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

15 (25) Records ~~which~~*that* represent and constitute the work product of  
16 an attorney.

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

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

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

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

25 (A) The name; photograph and other identifying information;  
26 sentence data; parole eligibility date; custody or supervision level;  
27 disciplinary record; supervision violations; conditions of supervision,  
28 excluding requirements pertaining to mental health or substance abuse  
29 counseling; location of facility where incarcerated or location of parole  
30 office maintaining supervision and address of a releasee whose crime was  
31 committed after the effective date of this act shall be subject to disclosure  
32 to any person other than another inmate or releasee, except that the  
33 disclosure of the location of an inmate transferred to another state pursuant  
34 to the interstate corrections compact shall be at the discretion of the  
35 secretary of corrections;

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

40 (C) the information provided to the law enforcement agency pursuant  
41 to the sex offender registration act, K.S.A. 22-4901 et seq., and  
42 amendments thereto, shall be subject to disclosure to any person, except  
43 that the name, address, telephone number or any other information which

1 specifically and individually identifies the victim of any offender required  
2 to register as provided by the Kansas offender registration act, K.S.A. 22-  
3 4901 et seq., and amendments thereto, shall not be disclosed; and

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

9 (30) Public records containing information of a personal nature where  
10 the public disclosure thereof would constitute a clearly unwarranted  
11 invasion of personal privacy.

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

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

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

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

28 (35) Any report or record ~~which~~-that is made pursuant to K.S.A. 65-  
29 4922, 65-4923 or 65-4924, and amendments thereto, and ~~which~~-that is  
30 privileged pursuant to K.S.A. 65-4915 or 65-4925, and amendments  
31 thereto.

32 (36) Information ~~which~~-that would reveal the precise location of an  
33 archeological site.

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

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

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

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

3 (41) All financial analysis ratios and examination synopses  
4 concerning insurance companies that are submitted to the commissioner by  
5 the national association of insurance commissioners' insurance regulatory  
6 information system.

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

9 (43) Market research, market plans, business plans and the terms and  
10 conditions of managed care or other third-party contracts, developed or  
11 entered into by the university of Kansas medical center in the operation  
12 and management of the university hospital ~~which~~*that* the chancellor of the  
13 university of Kansas or the chancellor's designee determines would give an  
14 unfair advantage to competitors of the university of Kansas medical center.

15 (44) The amount of franchise tax paid to the secretary of revenue or  
16 the secretary of state by domestic corporations, foreign corporations,  
17 domestic limited liability companies, foreign limited liability companies,  
18 domestic limited partnership, foreign limited partnership, domestic limited  
19 liability partnerships and foreign limited liability partnerships.

20 (45) Records, other than criminal investigation records, the disclosure  
21 of which would pose a substantial likelihood of revealing security  
22 measures that protect: (A) Systems, facilities or equipment used in the  
23 production, transmission or distribution of energy, water or  
24 communications services; (B) transportation and sewer or wastewater  
25 treatment systems, facilities or equipment; or (C) private property or  
26 persons, if the records are submitted to the agency. For purposes of this  
27 paragraph, security means measures that protect against criminal acts  
28 intended to intimidate or coerce the civilian population, influence  
29 government policy by intimidation or coercion or to affect the operation of  
30 government by disruption of public services, mass destruction,  
31 assassination or kidnapping. Security measures include, but are not limited  
32 to, intelligence information, tactical plans, resource deployment and  
33 vulnerability assessments.

34 (46) Any information or material received by the register of deeds of  
35 a county from military discharge papers, DD Form 214. Such papers shall  
36 be disclosed: To the military dischargee; to such dischargee's immediate  
37 family members and lineal descendants; to such dischargee's heirs, agents  
38 or assigns; to the licensed funeral director who has custody of the body of  
39 the deceased dischargee; when required by a department or agency of the  
40 federal or state government or a political subdivision thereof; when the  
41 form is required to perfect the claim of military service or honorable  
42 discharge or a claim of a dependent of the dischargee; and upon the written  
43 approval of the commissioner of veterans affairs, to a person conducting



1 research.

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

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

11 (49) An individual's e-mail address, cell phone number and other  
12 contact information ~~which~~ that has been given to the public agency for the  
13 purpose of public agency notifications or communications which are  
14 widely distributed to the public.

15 (50) Information provided by providers to the local collection point  
16 administrator or to the 911 coordinating council pursuant to the Kansas  
17 911 act, and amendments thereto, upon request of the party submitting  
18 such records.

19 (51) Records of a public agency on a public website ~~which~~ that are  
20 searchable by a keyword search and identify the home address or home  
21 ownership of a law enforcement officer as defined in K.S.A. 2019 Supp.  
22 21-5111, and amendments thereto, parole officer, probation officer, court  
23 services officer or community correctional services officer. Such  
24 individual officer shall file with the custodian of such record a request to  
25 have such officer's identifying information restricted from public access on  
26 such public website. Within 10 business days of receipt of such requests,  
27 the public agency shall restrict such officer's identifying information from  
28 such public access. Such restriction shall expire after five years and such  
29 officer may file with the custodian of such record a new request for  
30 restriction at any time.

31 (52) Records of a public agency on a public website ~~which~~ that are  
32 searchable by a keyword search and identify the home address or home  
33 ownership of a federal judge, a justice of the supreme court, a judge of the  
34 court of appeals, a district judge, a district magistrate judge, a municipal  
35 judge, the United States attorney for the district of Kansas, an assistant  
36 United States attorney, a special assistant United States attorney, the  
37 attorney general, an assistant attorney general, a special assistant attorney  
38 general, a county attorney, an assistant county attorney, a special assistant  
39 county attorney, a district attorney, an assistant district attorney, a special  
40 assistant district attorney, a city attorney, an assistant city attorney or a  
41 special assistant city attorney. Such person shall file with the custodian of  
42 such record a request to have such person's identifying information  
43 restricted from public access on such public website. Within 10 business

1 days of receipt of such requests, the public agency shall restrict such  
2 person's identifying information from such public access. Such restriction  
3 shall expire after five years and such person may file with the custodian of  
4 such record a new request for restriction at any time.

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

13 (54) Records of a utility concerning information about cyber security  
14 threats, attacks or general attempts to attack utility operations provided to  
15 law enforcement agencies, the state corporation commission, the federal  
16 energy regulatory commission, the department of energy, the southwest  
17 power pool, the North American electric reliability corporation, the federal  
18 communications commission or any other federal, state or regional  
19 organization that has a responsibility for the safeguarding of  
20 telecommunications, electric, potable water, waste water disposal or  
21 treatment, motor fuel or natural gas energy supply systems.

22 (55) Records of a public agency containing information or reports  
23 obtained and prepared by the office of the state bank commissioner in the  
24 course of licensing or examining a person engaged in money transmission  
25 business pursuant to K.S.A. 9-508 et seq., and amendments thereto, shall  
26 not be disclosed except pursuant to K.S.A. 9-513c, and amendments  
27 thereto, or unless otherwise required by law.

28 ~~(56) Records of election security information or procedures, including:~~  
29 ~~including:~~

30 ~~(A) Records of measures taken to protect elections and voting-~~  
31 ~~infrastructure from tampering and infiltration;~~

32 ~~(B) records of threats, attacks on and vulnerabilities of voting-~~  
33 ~~equipment, election office networks and practices, voter registration-~~  
34 ~~databases and election or voting facilities; and~~

35 ~~(C) records of audits and assessments of election security.~~

36 ~~(57) Records of a public agency concerning information about cyber-~~  
37 ~~security threats, including:~~

38 ~~(A) Records of any cyber attack or cyber breach of a public agency;~~

39 ~~(B) records of any defensive measures considered or employed to~~  
40 ~~detect, prevent or mitigate a known or suspected cyber security threat to a~~  
41 ~~public agency; and~~

42 ~~(C) records of any cyber security vulnerability at a public agency.~~

43 (b) Except to the extent disclosure is otherwise required by law or as

1 appropriate during the course of an administrative proceeding or on appeal  
2 from agency action, a public agency or officer shall not disclose financial  
3 information of a taxpayer ~~which~~*that* may be required or requested by a  
4 county appraiser or the director of property valuation to assist in the  
5 determination of the value of the taxpayer's property for ad valorem  
6 taxation purposes; or any financial information of a personal nature  
7 required or requested by a public agency or officer, including a name, job  
8 description or title revealing the salary or other compensation of officers,  
9 employees or applicants for employment with a firm, corporation or  
10 agency, except a public agency. Nothing contained herein shall be  
11 construed to prohibit the publication of statistics, so classified as to  
12 prevent identification of particular reports or returns and the items thereof.

13 (c) As used in this section, the term "cited or identified" shall not  
14 include a request to an employee of a public agency that a document be  
15 prepared.

16 (d) If a public record contains material ~~which~~*that* is not subject to  
17 disclosure pursuant to this act, the public agency shall separate or delete  
18 such material and make available to the requester that material in the  
19 public record ~~which~~*that* is subject to disclosure pursuant to this act. If a  
20 public record is not subject to disclosure because it pertains to an  
21 identifiable individual, the public agency shall delete the identifying  
22 portions of the record and make available to the requester any remaining  
23 portions ~~which~~*that* are subject to disclosure pursuant to this act, unless the  
24 request is for a record pertaining to a specific individual or to such a  
25 limited group of individuals that the individuals' identities are reasonably  
26 ascertainable, the public agency shall not be required to disclose those  
27 portions of the record ~~which~~*that* pertain to such individual or individuals.

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

31 (f) Notwithstanding the provisions of subsection (a), any public  
32 record ~~which~~*that* has been in existence more than 70 years shall be open  
33 for inspection by any person unless disclosure of the record is specifically  
34 prohibited or restricted by federal law, state statute or rule of the Kansas  
35 supreme court or by a policy adopted pursuant to K.S.A. 72-6214, and  
36 amendments thereto.

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

41 Sec.-2- 3. K.S.A. 2019 Supp. *45-217 and* 45-221—*is are* hereby  
42 repealed.

43 Sec.-3- 4. This act shall take effect and be in force from and after its

- 1 publication in the statute book.