

KANSAS OFFICE of
REVISOR of STATUTES

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MEMORANDUM

To: Chairman Billinger and members of the Senate Ways and Means Committee

From: Jill A. Wolters, First Assistant Revisor and Natalie Scott, Assistant Revisor

Date: March 22, 2021

Subject: **HB2079**, Transferring duties concerning address confidentiality program (safe at home) AND registration for charitable organizations from the secretary of state to the attorney general

HB 2079, as introduced, transfers duties concerning the address confidentiality program (safe at home) from the secretary of state to the attorney general.

Sections 13 through 20, previously sections 1-8, concern transferring oversight of the address confidentiality program from the secretary of state to the attorney general. As described in Section 13, K.S.A. 75-451, the program seeks to provide address confidentiality for victims of domestic violence, sexual assault, human trafficking or stalking and program participants can obtain a designated address to be used as a substitute mailing address. The primary amendment in each section is to change references from the secretary of state to the attorney general. Note that Section 18, K.S.A. 75-456, maintains current law requiring the secretary of state to adopt rules and regulations prescribing voting procedures to maintain confidentiality of the addresses of program participants.

House Judiciary Committee amended into the bill the provisions of HB 2080, transferring the duties concerning registration for charitable organizations from the secretary of state to the attorney general. Under current law, a charitable organization may not solicit funds or employ a professional fund raiser or professional solicitor to solicit funds in Kansas, unless such organization and professionals have registered and filed reports as required under the charitable organizations and solicitations act.

New Section 1 creates the charitable organizations fee fund to be administered by the attorney general and provides that moneys in the fund shall be used to carry out the provisions and purposes of the charitable organizations and solicitations act. New Section 2 transfers legal custody of records and other items to the attorney general. Section 3 amends K.S.A. 17-1759 to include New Section 2 under the charitable organizations and solicitations act. Section 4 maintains current law regarding charitable organizations that are not required to register under that act, but changes references from the secretary of state to the attorney general. That same change is made throughout Sections 5 through 12. Also in Section 5, K.S.A. 17-1763, the bill increases the registration fee for each charitable organization from \$20 to \$25. In Section 6, K.S.A. 17-1764, the bill imposes a new fee of \$25 on every professional fund raiser that is already required to register. In Section 7, K.S.A. 17-1765, the bill imposes a new fee of \$25 on every professional solicitor that is already required to register.

The bill will take effect upon publication in the statute book.

The bill passed the House, 70 – 54 on February 3, 2021.