

SESSION OF 2015

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2023**

As Recommended by House Committee on  
Judiciary

**Brief\***

HB 2023 would continue in existence the following exceptions to the Kansas Open Records Act (KORA):

- KSA 17-2036, concerning income tax return extension applications submitted to the Secretary of State;
- KSA 40-5301, concerning records, data, and information of the Interstate Insurance Product Regulation Compact;
- KSA 45-221(a)(45), concerning records, which, if disclosed, would pose a substantial likelihood of revealing certain security measures;
- KSA 45-221(a)(46), concerning information and materials received by a county Register of Deeds from military discharge papers;
- KSA 45-221(a)(49), concerning an individual's contact information given to a public agency to receive widely distributed agency notifications or communications;
- KSA 48-16a10, concerning information obtained pursuant to the Radon Certification Law;

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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 58-4616, concerning certain records retained by the unit owner association of a common interest community;
- KSA 60-3351, concerning self-evaluative audit documents submitted to and in the possession of the Insurance Commissioner (the bill also would remove a July 1, 2015, sunset for language specifying self-evaluative audit documents are not subject to any disclosure or production under KORA);
- KSA 72-972a, concerning due process complaint notices filed under the Special Education for Exceptional Children Act;
- KSA 74-50,217, concerning the contents of forms completed pursuant to the Promoting Employment Across Kansas Act;
- KSA 74-99d05, concerning certain records of the Kansas Electric Transmission Authority, which, if disclosed, would be harmful to the competitive position of third parties or to the security of transmission facilities; and
- KSA 75-53,105, concerning criminal history record information obtained by the Secretary for Children and Families for the purpose of determining initial and continuing qualification for employment or participation in a program for the placement, safety, protection, or treatment of vulnerable children or adults.

## **Background**

A sunset provision for all exceptions to the Kansas Open Records Act 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 will no longer be subject to review and expiration if the Legislature reviews and continues the exception during the 2013 Session or thereafter.

In the House Judiciary Committee, staff of the Office of Revisor of Statutes provided an overview of the bill. The Committee recommended the bill be placed on the Consent Calendar.

The fiscal note prepared by the Division of the Budget indicates passage of the bill would have no fiscal effect on state revenues or expenditures.