

SESSION OF 2018

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE BILL NO. 2476**

As Agreed to April 4, 2018

Brief*

HB 2476 would amend the section of the Kansas Open Records Act (KORA) related to the unlawful use of names derived from public records.

The bill would create an additional exception to the general prohibition in KORA against selling, giving, or receiving any list of names and addresses from public records for sales purposes. The new exception would apply to lists of names and addresses derived from public records of the Secretary of State related to secured transactions under the Uniform Commercial Code (UCC).

Conference Committee Action

The Conference Committee agreed to place the contents of SB 418, as recommended by the Senate Committee on Federal and State Affairs, concerning KORA, into HB 2476.

Background

HB 2476, as amended by the Senate Committee of the Whole, previously pertained to the sale of alcoholic candy and domestic beer in refillable containers. The contents of HB

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kldr>

2476, as amended by the Senate Committee of the Whole, were removed and placed into HB 2470 by the Conference Committee on March 29, 2018. HB 2476, as amended by the Senate Committee of the Whole, currently contains the contents of SB 418, as recommended by the Senate Committee on Federal and State Affairs, concerning KORA.

SB 418 (Kansas Open Records Act)

SB 418 was introduced by the Senate Committee on Federal and State Affairs at the request of Senator Olson. In the Senate Committee hearing, proponent testimony was provided by a representative of Randall-Reilly. The proponent indicated Kansas is the only state that limits the use of information found in UCC filings.

Neutral testimony was provided by the Deputy Assistant Secretary of State, Business Services Division, who provided an overview of the UCC filings maintained by the Secretary of State. These filings relate to financial transactions secured by an interest in certain personal and commercial property, and in which both the debtor and creditor agree to secure a debt by such property.

No other testimony was provided.

The Senate 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, the Office of the Attorney General and the Office of the Secretary of State indicate enactment of the bill would have no fiscal effect.

Kansas Open Records Act; Uniform Commercial Code; public records; Secretary of State

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