HOUSE BILL No. 2571
By Representative Alcala
1-30

AN ACT concerning the open records act; relating to disclosure of
criminal investigation records; disclosure of law enforcement
recordings using a body camera or vehicle camera; amending K.S.A.
2017 Supp. 45-219, 45-221 and 45-254 and repealing the existing
sections.

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

Section 1. K.S.A. 2017 Supp. 45-219 is hereby amended to read as
follows: 45-219. (a) Any person may make abstracts or obtain copies of
any public record to which such person has access under this act. If copies
are requested, the public agency may require a written request and advance
payment of the prescribed fee. Payment of copying fees may be required
prior to the making of copies. A public agency shall not be required to
provide copies of public records maintained on computer facilities, radio
or recording tapes or discs, video tapes or films, pictures, slides, graphics,
illustrations or similar audio or visual items or devices, unless duplication equipment is available or if such items or devices were shown
or played to a public meeting of the governing body thereof, but the A
public agency shall not be required to provide such items or devices which
are copyrighted by a person other than the public agency.

(b) Copies of public records shall be made while the records are in
the possession, custody and control of the custodian or a person designated
by the custodian and shall be made under the supervision of such
custodian or person. When practical, copies shall be made in the place
where the records are kept. If it is impractical to do so, the custodian shall
allow arrangements to be made for use of other facilities. If it is necessary
to use other facilities for copying, the cost thereof shall be paid by the
person desiring a copy of the records. In addition, the public agency may
charge the same fee for the services rendered in supervising the copying as
for furnishing copies under subsection (c) and may establish a reasonable
schedule of times for making copies at other facilities.

(c) Except as provided by subsection (f) or where fees for inspection
or for copies of a public record are prescribed by statute, each public
agency may prescribe reasonable fees for providing access to or furnishing
copies of public records, subject to the following:

(1) In the case of fees for copies of records, the fees shall not exceed
the actual cost of furnishing copies, including the cost of staff time required to make the information available.

(2) In the case of fees for providing access to records maintained on computer facilities, the fees shall include only the cost of any computer services, including staff time required.

(3) Fees for access to or copies of public records of public agencies within the legislative branch of the state government shall be established in accordance with K.S.A. 46-1207a, and amendments thereto.

(4) Fees for access to or copies of public records of public agencies within the judicial branch of the state government shall be established in accordance with rules of the supreme court.

(5) Fees for access to or copies of public records of a public agency within the executive branch of the state government shall be established by the agency head. Any person requesting records may appeal the reasonableness of the fees charged for providing access to or furnishing copies of such records to the secretary of administration whose decision shall be final. A fee for copies of public records which is equal to or less than $.25 per page shall be deemed a reasonable fee.

(d) Except as otherwise authorized pursuant to K.S.A. 75-4215, and amendments thereto, each public agency within the executive branch of the state government shall remit all moneys received by or for it from fees charged pursuant to this section to the state treasurer in accordance with K.S.A. 75-4215, and amendments thereto. Unless otherwise specifically provided by law, the state treasurer shall deposit the entire amount thereof in the state treasury and credit the same to the state general fund or an appropriate fee fund as determined by the agency head.

(e) Each public agency of a political or taxing subdivision shall remit all moneys received by or for it from fees charged pursuant to this act to the treasurer of such political or taxing subdivision at least monthly. Upon receipt of any such moneys, such treasurer shall deposit the entire amount thereof in the treasury of the political or taxing subdivision and credit the same to the general fund thereof, unless otherwise specifically provided by law.

(f) Any person who is a certified shorthand reporter may charge fees for transcripts of such person's notes of judicial or administrative proceedings in accordance with rates established pursuant to rules of the Kansas supreme court.

(g) Nothing in the open records act shall require a public agency to electronically make copies of public records by allowing a person to obtain copies of a public record by inserting, connecting or otherwise attaching an electronic device provided by such person to the computer or other electronic device of the public agency.

Sec. 2. K.S.A. 2017 Supp. 45-221 is hereby amended to read as
follows: 45-221. (a) Except to the extent disclosure is otherwise required by law, a public agency shall not be required to disclose:

(1) Records the disclosure of which is specifically prohibited or restricted by federal law, state statute or rule of the Kansas supreme court or rule of the senate committee on confirmation oversight relating to information submitted to the committee pursuant to K.S.A. 2017 Supp. 75-4315d, and amendments thereto, or the disclosure of which is prohibited or restricted pursuant to specific authorization of federal law, state statute or rule of the Kansas supreme court or rule of the senate committee on confirmation oversight relating to information submitted to the committee pursuant to K.S.A. 2017 Supp. 75-4315d, and amendments thereto, to restrict or prohibit disclosure.

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

(3) Medical, psychiatric, psychological or alcoholism or drug dependency treatment records which pertain to identifiable patients.

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

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

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

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

(8) Information which would reveal the identity of an individual who lawfully makes a donation to a public agency, if anonymity of the donor is a condition of the donation, except if the donation is intended for or restricted to providing remuneration or personal tangible benefit to a named public officer or employee.

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

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

(A) is in the public interest;
(B) would not interfere with any prospective law enforcement action, criminal investigation or prosecution;
(C) would not reveal the identity of any confidential source or undercover agent;
(D) would not reveal confidential investigative techniques or procedures not known to the general public;
(E) would not endanger the life or physical safety of any person; and
(F) would not reveal the name, address, phone number or any other information which specifically and individually identifies the victim of any sexual offense in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto.

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

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

(12) Records of emergency or security information or procedures of a public agency, or plans, drawings, specifications or related information for any building or facility which that is used for purposes requiring security measures in or around the building or facility or which that is used for the generation or transmission of power, water, fuels or communications, if disclosure would jeopardize security of the public agency, building or facility.

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

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

(15) Records pertaining to employer-employee negotiations, if disclosure would reveal information discussed in a lawful executive session under K.S.A. 75-4319, and amendments thereto.
(16) Software programs for electronic data processing and documentation thereof, but each public agency shall maintain a register, open to the public, that describes:
(A) The information which that the agency maintains on computer facilities; and
(B) the form in which the information can be made available using existing computer programs.

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

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

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

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

(21) Records of a public agency having legislative powers, which records pertain to proposed legislation or amendments to proposed legislation, except that this exemption shall not apply when such records are:
(A) Publicly cited or identified in an open meeting or in an agenda of an open meeting; or
(B) distributed to a majority of a quorum of any body which that has authority to take action or make recommendations to the public agency with regard to the matters to which such records pertain.

(22) Records of a public agency having legislative powers, which records pertain to research prepared for one or more members of such agency, except that this exemption shall not apply when such records are:
(A) Publicly cited or identified in an open meeting or in an agenda of an open meeting; or
(B) distributed to a majority of a quorum of any body which that has authority to take action or make recommendations to the public agency with regard to the matters to which such records pertain.

(23) Library patron and circulation records which that pertain to identifiable individuals.
(24) Records which are compiled for census or research purposes and which pertain to identifiable individuals.

(25) Records which represent and constitute the work product of an attorney.

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

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

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

(29) Correctional records pertaining to an identifiable inmate or release, except that:
   (A) The name; photograph and other identifying information; sentence data; parole eligibility date; custody or supervision level; disciplinary record; supervision violations; conditions of supervision, excluding requirements pertaining to mental health or substance abuse counseling; location of facility where incarcerated or location of parole office maintaining supervision and address of a releasee whose crime was committed after the effective date of this act shall be subject to disclosure to any person other than another inmate or releasee, except that the disclosure of the location of an inmate transferred to another state pursuant to the interstate corrections compact shall be at the discretion of the secretary of corrections;
   (B) the attorney general, law enforcement agencies, counsel for the inmate to whom the record pertains and any county or district attorney shall have access to correctional records to the extent otherwise permitted by law;
   (C) the information provided to the law enforcement agency pursuant to the sex offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, shall be subject to disclosure to any person, except that the name, address, telephone number or any other information which specifically and individually identifies the victim of any offender required to register as provided by the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, shall not be disclosed; and
   (D) records of the department of corrections regarding the financial assets of an offender in the custody of the secretary of corrections shall be subject to disclosure to the victim, or such victim's family, of the crime for which the inmate is in custody as set forth in an order of restitution by the sentencing court.

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

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

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

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

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

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

(36) Information which would reveal the precise location of an archeological site.

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

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

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

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

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

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

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

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

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

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

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

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

(49) An individual's email address, cell phone number and other
contact information which that has been given to the public agency for the
purpose of public agency notifications or communications which are widely distributed to the public.

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

(51) Records of a public agency on a public website which are searchable by a keyword search and identify the home address or home ownership of a law enforcement officer as defined in K.S.A. 2017 Supp. 21-5111, and amendments thereto, parole officer, probation officer, court services officer or community correctional services officer. Such individual officer shall file with the custodian of such record a request to have such officer's identifying information restricted from public access on such public website. Within 10 business days of receipt of such requests, the public agency shall restrict such officer's identifying information from such public access. Such restriction shall expire after five years and such officer may file with the custodian of such record a new request for restriction at any time.

(52) Records of a public agency on a public website which are searchable by a keyword search and identify the home address or home ownership of a federal judge, a justice of the supreme court, a judge of the court of appeals, a district judge, a district magistrate judge, a municipal judge, the United States attorney for the district of Kansas, an assistant United States attorney, a special assistant United States attorney, the attorney general, an assistant attorney general, a special assistant attorney general, a county attorney, an assistant county attorney, a special assistant county attorney, a district attorney, an assistant district attorney, a special assistant district attorney, a city attorney, an assistant city attorney or a special assistant city attorney. Such person shall file with the custodian of such record a request to have such person's identifying information restricted from public access on such public website. Within 10 business days of receipt of such requests, the public agency shall restrict such person's identifying information from such public access. Such restriction shall expire after five years and such person may file with the custodian of such record a new request for restriction at any time.

(53) Records of a public agency that would disclose the name, home address, zip code, email address, phone number or cell phone number or other contact information for any person licensed to carry concealed handguns or of any person who enrolled in or completed any weapons training in order to be licensed or has made application for such license under the personal and family protection act, K.S.A. 2017 Supp. 75-7c01 et seq., and amendments thereto, shall not be disclosed unless otherwise required by law.
(54) Records of a utility concerning information about cyber-security threats, attacks or general attempts to attack utility operations provided to law enforcement agencies, the state corporation commission, the federal energy regulatory commission, the department of energy, the southwest power pool, the North American electric reliability corporation, the federal communications commission or any other federal, state or regional organization that has a responsibility for the safeguarding of telecommunications, electric, potable water, waste water disposal or treatment, motor fuel or natural gas energy supply systems.

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

(b) Except to the extent disclosure is otherwise required by law or as appropriate during the course of an administrative proceeding or on appeal from agency action, a public agency or officer shall not disclose financial information of a taxpayer which may be required or requested by a county appraiser or the director of property valuation to assist in the determination of the value of the taxpayer's property for ad valorem taxation purposes; or any financial information of a personal nature required or requested by a public agency or officer, including a name, job description or title revealing the salary or other compensation of officers, employees or applicants for employment with a firm, corporation or agency, except a public agency. Nothing contained herein shall be construed to prohibit the publication of statistics, so classified as to prevent identification of particular reports or returns and the items thereof.

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

(d) If a public record contains material which is not subject to disclosure pursuant to this act, the public agency shall separate or delete such material and make available to the requester that material in the public record which is subject to disclosure pursuant to this act. If a public record is not subject to disclosure because it pertains to an identifiable individual, the public agency shall delete the identifying portions of the record and make available to the requester any remaining portions which are subject to disclosure pursuant to this act, unless the request is for a record pertaining to a specific individual or to such a limited group of individuals that the individuals' identities are reasonably ascertainable, the public agency shall not be required to disclose those portions of the record which pertain to such individual or individuals.
(e) The provisions of this section shall not be construed to exempt from public disclosure statistical information not descriptive of any identifiable person.

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

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

(h) (1) Except as provided in K.S.A. 2017 Supp. 45-254, and amendments thereto, a public agency shall not disclose criminal investigation records while such investigation is active. An investigation becomes inactive upon the occurrence of any of the following events:

(A) A decision by the law enforcement agency not to pursue the case;

(B) expiration of the time to bring a charge or file a complaint under the applicable statute of limitations, or 30 years after the commission of the offense, whichever comes earliest; or

(C) exhaustion of or expiration of all rights of appeal by a person convicted on the basis of the criminal investigation records.

(2) Criminal investigation records related to an inactive investigation shall be disclosed, unless disclosure:

(A) Would interfere with any prospective law enforcement action, criminal investigation or prosecution;

(B) reveal the identity of any confidential source or undercover agent;

(C) reveal confidential investigative techniques or procedures not known to the general public;

(D) endanger the life or physical safety of any person; or

(E) reveal the name, address, phone number or any other information that specifically and individually identifies the victim of any sexual offense in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto.

(3) If a public record is discretionarily closed by a public agency pursuant to this subsection, the record custodian, upon request, shall provide a written citation to the specific provisions of subsection (h)(2) that necessitate closure of that public record.

(4) Except as provided in K.S.A. 2017 Supp. 45-254, and amendments thereto, any audio or video recording made and retained by law
enforcement using a body camera or vehicle camera as defined by K.S.A. 2017 Supp. 45-254, and amendments thereto, that is part of an inactive investigative file and that constitutes a clearly unwarranted invasion of personal privacy as defined in K.S.A. 45-517(b), and amendments thereto, shall not be disclosed, except that the existence of the recording shall be disclosed to any person requesting access to the inactive investigative file.

(5) The district court, in an action brought pursuant to K.S.A. 45-222, and amendments thereto, may order disclosure of any criminal investigation records, subject to such conditions as the court may impose, if the court finds that disclosure:

(A) Is in the public interest;

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

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

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

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

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

Sec. 3. K.S.A. 2017 Supp. 45-254 is hereby amended to read as follows: 45-254. (a) Every audio or video recording made and retained by law enforcement using a body camera or a vehicle camera shall be considered a criminal investigation record as defined in K.S.A. 45-217, and amendments thereto. The provisions of this subsection shall expire on July 1, 2021, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2021.

(b) In addition to any disclosure authorized pursuant to the open records act, K.S.A. 45-215 et seq., and amendments thereto, a person described in subsection (c) may request to listen to an audio recording or to view a video recording made by a body camera or a vehicle camera. The law enforcement agency shall allow the person to listen to the requested audio recording or to view the requested video recording within 24 hours after making the request, and may charge a reasonable fee for such services provided by the law enforcement agency.

(c) Any of the following may make a request under subsection (b):

(1) A person who is a subject of the recording;

(2) a parent or legal guardian of a person under 18 years of age who is a subject of the recording;

(3) an attorney for a person described in subsection (c)(1) or (c)(2);
and

(4) an heir at law, an executor or an administrator of a decedent, or
an individual who has secured a written release from the next of kin of a
decedent, when the decedent is a subject of the recording.

(d) A law enforcement agency shall disclose any audio or video
recording made and retained by the agency using a body camera or a
vehicle camera within five business days after a request is made by any
person, if the recording depicts or describes:

(1) The discharge of a firearm by a law enforcement officer in the
course of duty, other than the discharge of a firearm for training purposes,
or the killing of an animal that is sick, injured or dangerous; or

(2) the use of force by a law enforcement officer that results in great
bodily harm or death.

(e) (1) A law enforcement agency shall redact or obscure specific
portions of any audio or video recording before disclosure that:

(A) Depicts the death of a person, a dead body, or clearly visible acts
of severe violence or great bodily harm against a person, unless the death
or act was caused by a law enforcement officer;

(B) depicts nudity or sexual conduct as defined in K.S.A. 2017 Supp.
21-6402, and amendments thereto;

(C) reveals the identity of any confidential source or undercover
agent;

(D) reveals confidential investigative techniques or procedures not
known to the general public;

(E) endangers the life or physical safety of any person;

(F) reveals the name, address, phone number or any other
information that specifically and individually identifies the victim of any
sexual offense in article 35 of chapter 21 of the Kansas Statutes
Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas
Statutes Annotated, and amendments thereto;

(G) identifies a minor under the age of 16 or undermines the
confidentiality requirements for juvenile records as provided in chapter 38
of the Kansas Statutes Annotated, and amendments thereto;

(H) includes confidential medical information or personal
information as defined in K.S.A. 2017 Supp. 50-7a01, and amendments
thereto; or

(I) reveals the name or license plate number of a person not arrested,
cited, charged or issued a written warning.

(2) This subsection shall not apply to requests made by a person
described in subsection (c).

(f) (1) A law enforcement agency may redact or obscure specific
portions of any audio or video recording before disclosure that reveals the
identify of a law enforcement officer who is subject to an internal
investigation as a result of an event depicted in the recording, except as
provided in subsection (f)(2).
(2) (A) A law enforcement agency shall not redact the identity of a
law enforcement officer after the agency has concluded the investigation
or rendered a decision as to final disciplinary action, and the records
previously withheld, redacted or obscured under this section shall be made
available for public inspection and copying.
(B) If such investigation lasts for longer than 270 days, video and
audio recordings not disclosed, redacted or obscured under this section
shall be made available for public inspection and copying.
(g) As used in this section:
(1) "Body camera" means a device that is worn by a law enforcement
officer that electronically records audio or video of such officer's activities.
(2) "Heir at law" means: (A) The spouse of the decedent, if living; (B)
if there is no living spouse of the decedent, an adult child of the decedent,
if living; or (C) if there is no living spouse or adult child, a parent of the
decedent, if living. It shall be the responsibility of the heir at law to show
proof of the familial relationship.
(3) "Vehicle camera" means a device that is attached to a law
enforcement vehicle that electronically records audio or video of law
enforcement officers' activities.
Sec. 4. K.S.A. 2017 Supp. 45-219, 45-221 and 45-254 are hereby
repealed.
Sec. 5. This act shall take effect and be in force from and after its
publication in the statute book.