

**SENATE BILL No. 198**

By Committee on Assessment and Taxation

2-15

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1 AN ACT concerning the department of revenue; relating to persons with  
2 access to federal tax information; fingerprinting.

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

5 Section 1. (a) The secretary of revenue may require, as a qualification  
6 for initial or continuing employment or contracting, all persons having  
7 access to federal tax information to be fingerprinted and submit to a state  
8 and national criminal history record check. The fingerprints shall be used  
9 to identify the person and to determine whether the person has a record of  
10 criminal arrests and convictions in this state or other jurisdictions. The  
11 secretary is authorized to submit the fingerprints to the Kansas bureau of  
12 investigation and the federal bureau of investigation for a state and  
13 national criminal history record check. Local and state law enforcement  
14 officers and agencies shall assist the secretary in the taking and processing  
15 of fingerprints of such persons and shall release all records of a person's  
16 arrests and convictions to the secretary.

17 (b) The secretary may use the information obtained from  
18 fingerprinting and a person's criminal history only for the purposes of  
19 verifying the identification of such person and in the official determination  
20 of the fitness of such person's qualification for initial or continuing  
21 employment. Disclosure or use of any information received by the  
22 secretary or a designee of the secretary for any purpose other than the  
23 purpose provided for in this section shall be a class A nonperson  
24 misdemeanor and shall constitute grounds for removal from office or  
25 termination of employment. Nothing in this section shall prevent  
26 disclosure of any information received by the secretary pursuant to this  
27 section to the post auditor in accordance with the provisions of the  
28 legislative post audit act.

29 (c) Whenever the secretary requires fingerprinting, any associated  
30 costs shall be paid by the applicant, employee or contractor.

31 Sec. 2. This act shall take effect and be in force from and after its  
32 publication in the statute book.