

CORRECTED
SESSION OF 2017

**SUPPLEMENTAL NOTE ON SUBSTITUTE FOR SENATE
BILL NO. 198**

As Recommended by Senate Committee on
Assessment and Taxation

Brief*

Sub. for SB 198 would amend law related to the Kansas Department of Revenue (KDOR) fingerprinting of employees, and driver's license examiners.

Fingerprinting of Employees

The bill would authorize the Secretary of Revenue (Secretary) to require, as a condition of initial or continued employment, the fingerprinting of contractors and employees having access to federal tax information received directly from the Internal Revenue Service (IRS). Such persons also would be subject to state and national criminal history record checks. The Secretary would be authorized to submit the fingerprints to the Kansas Bureau of Investigation and the Federal Bureau of Investigation. Local and state law enforcement agencies would be required to assist the Secretary in the taking and processing of fingerprints and to release all records of arrests and convictions to the Secretary.

The Secretary could use information obtained under the bill only to verify the identification of persons and to determine their fitness for employment. Any other use or disclosure of the information would be deemed a class A nonperson misdemeanor and constitute grounds for removal from office, with the exception of certain information that could be shared with the Post Auditor, Legislative Division of Post Audit.

*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>

The bill would require all costs be paid by KDOR or its contractors.

Driver's License Examiners

The bill would allow driver's license examiners within KDOR to have the choice to move from classified to unclassified service.

Background

The substitute bill contains the provisions of SB 198 with amendments and the provisions of SB 135. The background for both bills is provided below.

SB 198—Fingerprinting

SB 198 was introduced by the Senate Committee on Assessment and Taxation. At the Senate Committee hearing on the bill, a representative of KDOR testified indicating that failure to pass the bill could imperil KDOR's access to federal tax data supplied by the IRS. No other testimony was provided.

The Senate Committee amended the bill to limit the applicability of the bill to the employees and contractors of KDOR and to provide that KDOR or its contractor would be required to pay any fees for the fingerprinting. The Senate also added the contents of SB 135.

SB 135—Driver's License Examiners

SB 135 was introduced by the Senate Committee on Federal and State Affairs. In the Senate Committee hearing, a representative of the Division of Vehicles, KDOR, testified in favor of the bill, stating driver's license examiners were overlooked when a bill was passed in 2016 to allow other KDOR employees to move from classified to unclassified service.

The fiscal note prepared by the Division of the Budget states enactment of the bill would have no fiscal effect on KDOR operations.