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4 **Senate Substitute for HOUSE BILL No. 2299**

5
6 By Committee on Elections and Local Government

7
8 3-22

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10 ~~AN ACT concerning certain advisory committees; concerning the open~~
11 ~~meetings law; amending K.S.A. 75-4318 and repealing the existing~~
12 ~~section.~~

13 **[AN ACT concerning committees and entities subject to the open**
14 **records law and the open meetings law; amending K.S.A. 75-4318**
15 **and repealing the existing section.]**

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

18 Section 1. K.S.A. 75-4318 is hereby amended to read as follows: 75-
19 4318. (a) Except as otherwise provided by state or federal law or by rules
20 of the house or senate, and except with respect to any impeachment
21 inquiry or other impeachment matter referred to any committee of the
22 house of representatives prior to the report of such committee to the full
23 house of representatives, all meetings for the conduct of the affairs of,
24 and the transaction of business by, all legislative and administrative bodies
25 and agencies of the state and political and taxing subdivisions thereof,
26 including boards, commissions, authorities, councils, committees, sub-
27 committees and other subordinate groups thereof, receiving or expending
28 and supported in whole or in part by public funds shall be open to the
29 public and no binding action by such bodies shall be by secret ballot, but
30 any administrative body that is authorized by law to exercise quasi-judicial
31 functions shall not be required to have open meetings when such body
32 is deliberating matters relating to a decision involving such quasi-judicial
33 functions. *Meetings of task forces, advisory committees or subcommittees*
34 *of advisory committees created pursuant to a governor's executive order*
35 *shall be open to the public in accordance with this act.*

36 (b) Notice of the date, time and place of any regular or special meet-
37 ing of a public body designated hereinabove shall be furnished to any
38 person requesting such notice, except that:

39 (1) If notice is requested by petition, the petition shall designate one
40 person to receive notice on behalf of all persons named in the petition,
41 and notice to such person shall constitute notice to all persons named in
42 the petition;

43 (2) if notice is furnished to an executive officer of an employees' or-

1 organization or trade association, such notice shall be deemed to have been
2 furnished to the entire membership of such organization or association;
3 and

4 (3) the public body may require that a request to receive notice must
5 be submitted again to the body prior to the commencement of any sub-
6 sequent fiscal year of the body during which the person wishes to continue
7 receiving notice, but, prior to discontinuing notice to any person, the
8 public body must notify the person that notice will be discontinued unless
9 the person resubmits a request to receive notice.

10 (c) It shall be the duty of the presiding officer or other person calling
11 the meeting, if the meeting is not called by the presiding officer, to furnish
12 the notice required by subsection (b).

13 (d) Prior to any meeting hereinabove mentioned, any agenda relating
14 to the business to be transacted at such meeting shall be made available
15 to any person requesting said agenda.

16 (e) The use of cameras, photographic lights and recording devices
17 shall not be prohibited at any meeting mentioned by subsection (a), but
18 such use shall be subject to reasonable rules designed to insure the or-
19 derly conduct of the proceedings at such meeting.

20 ***[New Sec. 2. The Sunflower Foundation: Health Care for Kan-***
21 ***sas, established pursuant to the settlement agreement entered into***
22 ***by the attorney general in the action filed by Blue Cross and Blue***
23 ***Shield of Kansas, Inc., in the district court of Shawnee county, Kan-***
24 ***sas, case no. 97CV608, shall be and is hereby deemed to be a public***
25 ***agency and shall be subject to the open records law.***

26 ***[New Sec. 3. The Sunflower Foundation: Health Care for Kan-***
27 ***sas, established pursuant to the settlement agreement entered into***
28 ***by the attorney general in the action filed by Blue Cross and Blue***
29 ***Shield of Kansas, Inc., in the district court of Shawnee county, Kan-***
30 ***sas, case no. 97CV608, shall be and is hereby deemed to be a public***
31 ***body and shall be subject to the open meetings law.]***

32 Sec. ~~2~~ [4] K.S.A. 75-4318 is hereby repealed.

33 Sec. ~~3~~ [5.] This act shall take effect and be in force from and after
34 its publication in the Kansas register.

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