

SESSION OF 2004

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2489

As Amended by House Committee of the Whole

Brief*

HB 2489, as amended by the House Select Committee on Kansas Security, would amend the Kansas Open Meetings Act (KOMA) to expand the closure of certain meetings due to security reasons.

The House Select Committee on Kansas Security amended the bill to expand Section 1, subsection (b)(13) to allow the closure of meetings pertaining to security measures that protect:

- ! systems, facilities, or equipment used in the production transmission, or distribution of energy, water, or communications systems;
- ! transportation and sewer or wastewater treatment systems;
- ! a public body or agency, public building; and
- ! private property or persons.

The provisions of the bill would protect against criminal acts intended to intimidate or coerce the civilian population, influence government policy by intimidation or coercion, mass destruction, assassination, or kidnaping. The security measures would include, but would not be limited to, intelligence information, tactical plans, responses to actual events, resources deployment, and vulnerability assessments.

The House Committee of the Whole amended the bill to remove the wording "responses to actual events" from section 1, subsection (b)(13) of the bill.

*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>

Background

The bill, as introduced, was supported by the City of Overland Park, the Chief of Police for Overland Park, the City of Olathe, Johnson County, Sedgwick County, and League of Kansas Municipalities. The Kansas Press Association offered an amendment to the bill, which the Committee with the other proponents' support, modified and adopted. The Committee added the wording "response to actual events," and the bill was passed favorably out of Committee.

The bill, as introduced, was opposed by the Kansas Association of Broadcasters.

The House Committee of the Whole amended the bill to remove the wording "response to actual events" after discussions with local entities and being assured that meetings could be closed due to their sensitive nature if an event were already in progress. The bill in its amended form was the same language as offered by the Kansas Press Association and supported by a number of local governmental entities.