

SESSION OF 2005

SUPPLEMENTAL NOTE ON SENATE BILL NO. 5

As Amended by Senate Committee on
Judiciary

Brief*

SB 5 amends 12 separate laws which provide for confidentiality of trade secret information of businesses to clarify that trade secrets in each of these laws shall be defined as provided in the Uniform Trade Secrets Act (KSA 60-3320 *et seq.*).

The Senate Committee struck language in the bill that provided certain state agencies or departments may determine whether information constituted a trade secret and made other clarifying amendments.

Background

SB 5 was recommended by the 2004 Interim Special Committee on Local Government as part of its study of exceptions to the Kansas Open Records Act. The purpose of the bill was to establish a uniform definition of "trade secrets" in the various state laws that reference trade secrets.

A representative of Blue Cross Blue Shield of Kansas requested that the Senate Committee amend the bill to delete language which could be interpreted to give state agencies discretion to determine whether certain information provided to a state agency did, in fact, constitute a trade secret.

The bill has no fiscal impact on the state.

*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>