

SESSION OF 2006

SUPPLEMENTAL NOTE ON SENATE BILL NO. 499

As Recommended by Senate Committee on
Elections and Local Government

Brief*

SB 499 would amend the Kansas Open Records Act (KORA) to extend for five years (until July 1, 2011) the life of 11 KORA exceptions scheduled to expire this July 1 if the Legislature does not continue these exceptions.

Background

Kansas law requires that exceptions to disclosure under the KORA be created or maintained only if certain criteria are met with respect to each exception. In addition, it requires that certain procedures be followed if the exceptions are to be maintained, namely, that any new or substantially amended exception undergo legislative review every five years. The Revisor of Statutes is required to notify the President of the Senate and the Speaker of the House regarding the exceptions that need to be reviewed. Last year, SB 78 extended the life of the bulk of the exceptions, all of which had been scheduled to expire last July. This bill, SB 499, would extend the life of those scheduled to expire on July 1, 2006. The exceptions are listed in the following table.

*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>

Section	Exceptions Descriptions
1-501(d)	CPAs and firms, Board of Accountancy — Peer review records
9-1303	Regulators of banks and trust companies, State Bank Commissioner – Records exchanged with such regulators
12-4516a	Persons seeking expungement in municipal courts – Records in expungement proceedings
38-1692	Juvenile offenders, Juvenile Justice Authority, Kansas Department of Corrections (KDOC) – Medical test records
39-970	Juvenile offenders, adult care homes, Kansas Department of Health and Environment (KDHE) – Juvenile criminal record history information
40-4913	Law enforcement, insurance entities, Insurance Department – Investigative materials
65-525	Child care centers, maternity centers, family day care homes, KDHE – Records concerning such facilities
65-5117	Home health agencies, KDHE – Criminal record history information
65-6016	Offenders, physicians, KDOC – Infectious disease tests
65-6017	Offenders, physicians, KDOC – Court-ordered infectious disease tests
74-7508	Psychologists, others regulated by Behavioral Sciences Board – Complaints and related information

A representative of the Kansas Society of Certified Public Accountants testified as a proponent.

The fiscal note indicated passage of the bill would have no fiscal effect.