

SESSION OF 2008

SUPPLEMENTAL NOTE ON SENATE BILL NO. 565

As Amended by House Committee of the Whole

Brief*

SB 565 would authorize the State Fair Board to conduct a background check on seasonal employment candidates that may be hired to assist with the State Fair. The background check would be limited to a Kansas registered offender search on the Kansas Bureau of Investigation (KBI) website. The bill also would provide the State Fair Board and its employees immunity from civil suit for damages by any person who is refused or discharged from employment pursuant to the offender registry search.

The effective date of the act would be from and after its publication in the *Kansas Register*.

Background

The proponent of the bill in the Senate Committee was Denny Stoecklein, General Manager of the Kansas State Fair. He provided a letter to the Senate Committee stating it is the desire of the State Fair Board to conduct a search of potential applicants through the KBI Registered Offender Database and to deny employment to any applicant who is found to be in the database. While the Board is aware that this information is public information, the Board has been advised that, in order to deny employment to the prospective applicant, the Board needs statutory authority to conduct the search.

The Senate Committee on Judiciary amendment would clarify that the background check would be limited to a Kansas registered offender search on the KBI website.

*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 House Committee decreased the amount in the change fund from an amount not to exceed \$15,000 to an amount not to exceed \$4,726.

There was no testimony on the bill in the House Committee.

The House Committee of the Whole restored the amount in the change fund to \$15,000, which is present law, and also changed the effective date of the act from its publication in the statute book to its publication in the *Kansas Register*.

The fiscal note from the Division of Budget on the bill, as introduced, indicates passage of the bill would not have any fiscal effect, unless the Board chose to conduct a more comprehensive background check. The KBI fee for a more comprehensive background check is \$12.50 per person for prospective employees who would work with or around children and \$17.50 per background check for of people who would not be working with children.