

Republican Bill Brief for: HB 2342

Bill Brief Author: Vice Chair Adam Turk

Date Passed Committee: Feb 18, 2025

Bill Sponsor: Committee on Commerce, Labor and Economic Development

Committee: Commerce, Labor and Economic Development

Bill Title: Authorizing National Criminal History Background Checks for Final Applicants for Certain Sensitive Positions with the Kansas Department of Commerce

Bill Carrier: Rep. Sean Wilcott

Brief Summary - What problem(s) is the bill intended to solve, and how does it do that?

HB 2342 addresses the issue of ensuring that employees in sensitive positions with the Kansas Department of Commerce meet minimum standards of integrity and security. The bill allows the Secretary of Commerce to request state and national criminal history background checks on final applicants and employees for specific sensitive positions. These checks will be conducted by the Kansas Bureau of Investigation (KBI), ensuring that individuals with histories of theft, fraud, forgery, or other financial crimes are not employed in positions with significant financial or data access responsibilities. This enhances the integrity and security of financial management, confidential information, and overall department operations.

Minimum Standards and Scope:

1. **Criminal Background Checks:** Final applicants and employees in sensitive positions must undergo state and national criminal history record checks.
2. **Exclusions for Employment:** Applicants or employees with misdemeanor convictions involving theft, fraud, forgery, or other financial crimes, or any felony convictions, are prohibited from being employed or continuing employment in sensitive positions.
3. **Definition of Sensitive Positions:** Includes division director, assistant secretary, deputy secretary, IT manager, chief counsel, grant or loan program managers, and other positions with significant financial or confidential data responsibilities.

Oversight and Confidentiality Provisions:

- Criminal history information is confidential and exempt from the Kansas Open Records Act.

- Unauthorized disclosure or misuse of information will be punishable as a class A misdemeanor and could result in removal from office.
- Fees may be charged by the Kansas Bureau of Investigation for conducting criminal history checks.

Repealed and Amended Provisions:

The bill amends K.S.A. 2024 Supp. 22-4714 to reflect the addition of the Department of Commerce as an agency authorized to request criminal history checks. It repeals the existing K.S.A. 2024 Supp. 22-4714 to incorporate the changes.

Possible Floor Amendments - Do you know of any potential amendments that might be brought on the floor? Very Unlikely, it's the Lt. Governors request.

Proponents - Who were the proponents and what were their main arguments in favor of the bill? *List each proponent and their main argument(s)* -The Department of Commerce

Opponents - Who were the opponents and what were their main arguments against the bill? *List each opponent and their main argument(s)* -None

Neutral - Did any conferees offer neutral testimony, and what were their concerns or reservations? *List each neutral conferee and their main argument(s)* -None

Committee Amendments - Were there any committee amendments? If so, what did they do, and did they resolve specific concerns? -None

Fiscal Note – What is the reported fiscal impact of this legislation? Has that been updated to reflect any amendments? -None

Is this bill ready to run on the floor? -Yes