

SESSION OF 2025

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2166

As Recommended by House Committee on
Judiciary

Brief*

HB 2166 would continue in existence certain exceptions to the Kansas Open Records Act (KORA).

The bill would continue the existence of the following exceptions:

- KSA 48-962, relating to local health officer records created during the COVID-19 public health emergency containing personal information of persons testing positive for, or under quarantine or isolation for, COVID-19; and
- KSA 65-7616, relating to records created by the State Board of Healing Arts while investigating the fitness of a licensed acupuncturist to practice when there is a reasonable suspicion of impairment due to physical or mental illness, or the use of alcohol, drugs, or controlled substances.

[*Note:* The 2024 Legislature amended the underlying exceptions statute multiple times, resulting in KORA exceptions statutes with varying effective dates. Accordingly, the bill would make technical amendments to reaggregate the KORA exceptions reviewed by the 2024 Legislature with the provisions previously extended by the Legislature and with those exceptions described above.]

*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 <https://klrd.gov/>

Background

[*Note:* A sunset provision for all exceptions to KORA was added in 2000, requiring a review of existing exceptions within five years and of any new exception or substantial amendment to an exception by July 1 of the fifth year of enactment. Absent such review, the exceptions would expire.

The law also required any exceptions continued after legislative review to be reviewed again five years later; however, 2013 HB 2012 modified the requirement so that exceptions would no longer be subject to review and expiration if the Legislature reviews and continues the exception during the 2013 Session or thereafter.]

The bill was introduced by the House Committee on Judiciary at the request of Representative Humphries on behalf of the Office of Revisor of Statutes.

House Committee on Judiciary

In the House Committee hearing, a Senior Assistant Revisor of Statutes provided an overview of the bill. No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, the Division estimates the bill would not have a fiscal effect.

Kansas Open Records Act; exceptions; review