

SESSION OF 2025

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 30**

As Amended by House Committee on Judiciary

**Brief\***

SB 30, as amended, would amend law in the Kansas Code of Criminal Procedure concerning how non-criminal justice agencies may conduct state and national criminal history record checks and what criminal history record information (CHRI) must be released to such agencies with respect to certain employees and applicants for employment, licensure, or certification.

***Attorney General***

The bill would require that the Kansas Bureau of Investigation (KBI) release CHRI related to adult convictions, adult non-convictions, adult diversions, adult expunged records, juvenile adjudications, juvenile non-adjudications, juvenile diversions, and juvenile expunged records to the Attorney General for the following persons applying to become licensed or certified in Kansas:

- Persons applying for a private detective or private detective agency license [*Note: Current law requires adult convictions, adult non-convictions, adult diversions, and adult expunged records to be released for these persons*];
- Persons applying for a license to carry a concealed handgun [*Note: Current law requires adult convictions, adult non-convictions, adult diversions, adult expunged records, juvenile adjudications,*

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\*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/>

juvenile non-adjudications, and juvenile diversions to be released for these persons];

- Persons applying to become certified to train private detectives in the handling of firearms and the lawful use of force [*Note*: Current law requires adult convictions, adult non-convictions, adult diversions, and adult expunged records to be released for these persons]; and
- Persons applying for a bail enforcement agent license [*Note*: Current law requires adult convictions to be released for these persons].

### ***State Gaming Agency***

The bill would require the KBI to release CHRI related to adult convictions, adult non-convictions, adult diversions, adult expunged records, juvenile adjudications, juvenile non-adjudications, and juvenile diversions to the State Gaming Agency (SGA) for candidates for employment with the SGA or persons applying for tribal gaming licensure pursuant to a tribal-state gaming compact. Under current law, the SGA is authorized to receive CHRI related only to adult convictions, non-convictions, diversions, and expunged records.

### ***Secretary of Labor***

The bill would require the Secretary of Labor to conduct state and national criminal history record checks on employees who have access to federal tax information received directly from the Internal Revenue Service (IRS). Such criminal record checks would require fingerprinting of the employee.

The bill would require the KBI to release CHRI related to adult convictions, adult non-convictions, adult diversions, and juvenile adjudications to the Secretary of Labor for employees subject to such checks.

The bill would define “employee” as a person who applied for employment or is currently employed with the Kansas Department of Labor (KDOL) and who has been or will be granted access to federal tax information received directly from the IRS.

### ***State Bank Commissioner***

The bill would make conforming amendments to law to reflect the type of CHRI that is required to be released by the KBI with respect to certain employees and applicants associated with the State Bank Commissioner under continuing law.

### **Background**

The bill was introduced by the Senate Committee on Judiciary at the request of KDOL.

### ***Senate Committee on Judiciary***

In the Senate Committee hearing, representatives of KDOL and KBI offered **proponent** testimony. Proponents stated the bill would help ensure all KDOL employees with access to federal tax information received directly from the IRS have completed the appropriate level of record check. This would allow KDOL to meet the requirements of and continue to participate in the Treasury Offset Program as administered by the U.S. Department of the Treasury.

No other testimony was provided.

### ***House Committee on Judiciary***

In the House Committee hearing, representatives of KDOL and KBI provided proponent testimony that was substantially similar to testimony provided in the Senate

Committee hearing. The representative of the KBI requested an amendment to authorize the release of additional CHRI to the Attorney General and SGA for certain persons and to make technical changes to reorganize provisions concerning CHRI that is allowed to be released to the State Bank Commissioner in continuing law.

No other testimony was provided.

The House Committee adopted the amendment requested by the KBI.

### **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, KDOL and KBI indicate that enactment of the bill would not have a fiscal effect on either agency.

Fingerprinting; criminal history record check; Secretary of Labor; Attorney General; State Gaming Agency; State Bank Commissioner