

February 17, 2014

The Honorable Lance Kinzer, Chairperson
House Committee on Judiciary
Statehouse, Room 165-W
Topeka, Kansas 66612

Dear Representative Kinzer:

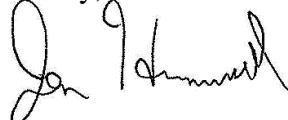
SUBJECT: Fiscal Note for HB 2567 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2567 is respectfully submitted to your committee.

HB 2567 would expand on definitions in the Kansas Open Records Act. Beginning on July 1, 2014, a "public agency" would include any nonprofit organization supported on whole or in part by public funds. A "public record" would include any recorded information by any nonprofit organization supported in whole or in part by public funds. These definitions would pertain to organizations engaged in economic development, tourism or general marketing activities for the state or any political or taxing subdivision of the state.

The Office of the Attorney General states that HB 2567 could increase the number of complaints filed concerning what constitutes a "nonprofit organization," as well as what records are open, what records are not related to functions, activities, programs or operations funded by public funds, or what records may be exempt for disclosure. Increased complaints could also result in additional investigative expenses stemming from the need to determine if the organization is a nonprofit, and if the records are related to functions, activities, programs or operations financed by public funds. The increase in the number of complaints filed with the Attorney General or county or district attorneys and the associated costs cannot be predicted. Any fiscal effect associated with HB 2567 is not reflected in *The FY 2015 Governor's Budget Report*.

Sincerely,



Jon Hummell,
Interim Director of the Budget

cc: Dan Lara, Commerce
Mary Rinehart, Judiciary
Larry Baer, League of Municipalities
Willie Prescott, Attorney General's Office
Chris Tymeson, Wildlife, Parks & Tourism
Melissa Wangemann, Association of Counties