

February 18, 2014

The Honorable Rob Olson, Chairperson  
Senate Committee on Financial Institutions and Insurance  
Statehouse, Room 236-E  
Topeka, Kansas 66612

Dear Senator Olson:

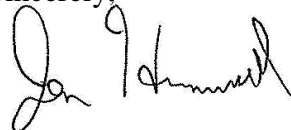
**SUBJECT:** Fiscal Note for SB 387 by Senate Committee on Financial Institutions and Insurance

In accordance with KSA 75-3715a, the following fiscal note concerning SB 387 is respectfully submitted to your committee.

Under current law, it is unlawful to knowingly sell, give or receive any list of names and addresses derived from public records, for the purpose of selling or offering for sale any property or service to persons listed. The statute contains a list of exceptions to this rule, and specifically exempts public officials, public agencies, or records custodians who provide public records in good faith compliance with the Kansas Open Records Act when the individual requesting the records has executed a written certification stating the records will not be used for improper commercial purposes. SB 387 would add a second exemption for any person who sells, gives or receives, for the purpose of selling or offering for sale any list of addresses without attendant names or other personally identifiable information derived from public records. The seller, purchaser or recipient of such an address list would be prohibited from appending a list of names or other personally identifiable information to the address list.

The Office of the Attorney General reports the passage of SB 387 could increase the number of inquiries or complaints filed concerning application of the bill, including whether the records or information provided had names or other personally identifiable information appended at the time the records were produced or if they were obtained and added at a later time. This could result in additional investigative expenses related to such inquiries or complaints. This increased workload could also be experienced by county and district attorneys. However, the number of inquiries or complaint cannot be predicted. Any fiscal effect associated with SB 387 is not reflected in *The FY 2015 Governor's Budget Report*.

Sincerely,



Jon Hummell,  
Interim Director of the Budget

cc: Mary Rinehart, Judiciary  
Willie Prescott, Attorney General's Office