

SENATE BILL No. 6

By Legislative Post Audit Committee

12-30

AN ACT concerning the division of post audit; relating to background checks; amending K.S.A. 2014 Supp. 46-1103 and repealing the existing section.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. K.S.A. 2014 Supp. 46-1103 is hereby amended to read as follows: 46-1103. (a) There is hereby established the division of post audit within the legislative branch of the government. The division of post audit shall be under the direct supervision of the post auditor in accordance with policies adopted by the legislative post audit committee.

(b) (1) Employees in the division of post audit shall be in the unclassified service, shall receive such compensation as is provided under this act and shall be covered by the state group health plan and Kansas public employees retirement system to the same extent as other state employees.

(2) Employees of the division of post audit shall receive travel expenses and subsistence expenses and allowances as provided for other state employees.

(3) Employees in the division of post audit shall be employed by and be responsible to the post auditor who shall fix the compensation of each such employee subject to approval of the legislative post audit committee and within budget and appropriations therefor.

(c) (1) The post auditor may require employees of the division of post audit, *contractors, and other persons who work under the direction of the post auditor, including temporary workers*, to be fingerprinted and submit to a state and national criminal history record check. The fingerprints shall be used to identify the employee and to determine whether the employee has a record of criminal history in this state or another jurisdiction. The post auditor shall submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. Local and state law enforcement officers and agencies shall assist the post auditor in the taking and processing of fingerprints of employees, *contractors or other such persons*. The post auditor may use the information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the employee, *contractor or other such person* and in the

Local law enforcement officers and agencies may charge a fee as reimbursement for expenses incurred in taking and processing fingerprints under this section.

1 official determination of the qualifications and fitness of the employee to  
2 be employed by, contractor or other such person to work with the division  
3 of post audit in any capacity.

4 (2) If any person offered a position of employment in the division of  
5 post audit, including a temporary worker or any person who contracts to  
6 work with the division of post audit is subject to a criminal history records  
7 check, such person shall be given a written notice that a criminal history  
8 records check is required. The post auditor may require such applicant  
9 person to be fingerprinted and submit to a state and national criminal  
10 history record check. The fingerprints shall be used to identify the  
11 applicant person and to determine whether the applicant person has a  
12 record of criminal history in this state or another jurisdiction. The post  
13 auditor shall submit the fingerprints to the Kansas bureau of investigation  
14 and the federal bureau of investigation for a state and national criminal  
15 history record check. Local and state law enforcement officers and  
16 agencies shall assist the post auditor in the taking and processing of  
17 fingerprints of applicants each such person. The post auditor may use the  
18 information obtained from fingerprinting and the criminal history for  
19 purposes of verifying the identification of the applicant person and in the  
20 official determination of the eligibility of the applicant person to perform  
21 appropriate tasks within for the division of post audit. If the criminal  
22 history record information is used to disqualify an applicant, the applicant  
23 a person from employment, temporary work or a contract offer, such  
24 person shall be informed in writing of that decision.

25 (d) The annual budget request of the division shall be prepared by the  
26 post auditor and the post auditor shall present it to the legislative post audit  
27 committee. The committee shall make any changes it desires in said  
28 budget request and then shall transmit it to the legislative coordinating  
29 council. Such council shall make any changes it desires in such budget  
30 request and upon approval of the budget request by the council, the post  
31 auditor shall submit it to the director of the budget as other budget requests  
32 are submitted.

33 Sec. 2. K.S.A. 2014 Supp. 46-1103 is hereby repealed.

34 Sec. 3. This act shall take effect and be in force from and after its  
35 publication in the statute book.

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a fee as reimbursement for expenses incurred in taking  
and processing fingerprints under this section.