

March 5, 2015

The Honorable John Barker, Chairperson
House Committee on Judiciary
Statehouse, Room 149-S
Topeka, Kansas 66612

Dear Representative Barker:

SUBJECT: Fiscal Note for HB 2346 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2346 is respectfully submitted to your committee.

Under current law, concerning the Kansas Open Records Act, the list of discretionary exceptions to records disclosure includes notes, preliminary drafts, research data in the process of analysis, unfunded grant proposals, memoranda, recommendations or other records in which opinions are expressed or policies or actions are proposed, except when those items are publicly cited or identified in an open meeting. HB 2346 would specify that this exception does not apply to a public agency's preliminary budget drafts, except for those drafts covered by other exceptions to the Kansas Open Records Act.

The Office of the Attorney General estimates there would be an increase for preliminary budget drafts filed with state agencies, which would result in an increase of staff time responding to requests. In addition, the agency estimates an increase in complaints filed with the Attorney General. According to the agency, any increase in complaints would result in increased staff time and resources to investigate. Until given an opportunity to operate under the provisions of HB 2346, the Attorney General cannot estimate a precise fiscal effect at this time.

The League of Kansas Municipalities states any fiscal effect to Kansas cities would be negligible. Any fiscal effect associated with HB 2346 is not reflected in *The FY 2016 Governor's Budget Report*.

Sincerely,



Shawn Sullivan,
Director of the Budget

cc: Larry Baer, LKM
Willie Prescott, Attorney General's Office