

SESSION OF 2015

SUPPLEMENTAL NOTE ON SENATE BILL NO. 86

As Recommended by Senate Committee on
Federal and State Affairs

Brief*

SB 86 would create the Kansas Transparency Act (Act), which would expand the Kansas Open Meetings Act (KOMA). The Act would require, beginning January 1, 2016, real time, internet audio broadcasts of legislative committee meetings required to be open to the public under the KOMA that are held in four designated committee rooms in the Statehouse. The bill also would require archives of all broadcasts required by the Act to be publicly available on the internet. In the event of an equipment failure, committees would be able to suspend the broadcasting requirement with a 2/3 affirmative vote of the committee's voting members, as long as the purpose of suspending the broadcast requirement was not to avoid the requirements of the Act.

The bill would require certain actions by the Legislative Chief Information Technology Officer (LCITO); the LCITO would be required to:

- Designate, in coordination with the Legislative Coordinating Council (LCC), four committee rooms to be equipped with audio broadcasting equipment to comply with the Act;
- Provide for the operation and maintenance of the broadcasting devices in a manner sufficient to provide the public with access to all committee meetings held in designated committee rooms; and

*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 <http://www.kslegislature.org>.

- Report to the LCC and Joint Committee on Information Technology (JCIT) on the implementation of the broadcasts required by the Act. In preparing this report, the LCITO must consult with the Director of Legislative Research and the Revisor of Statutes to prepare information about:
 - Expenses incurred in providing the audio broadcasts;
 - Number of visitors listening to the broadcasts;
 - Feasibility and projected costs of expanding the number of rooms covered under the Act; and
 - Any possible changes to the broadcasting of legislative meetings.
- Designate four additional committee rooms to be equipped to broadcast for the 2018 Legislative Session and equip all remaining committee rooms in the Capitol Building with broadcasting equipment for the 2019 Legislative Session upon recommendation and approval of the LCC.

The bill would define the following terms:

- Committee – any standing committee, subcommittee, conference committee, interim committee, or any committee established by law or by either presiding officer; and
- Committee room – any room in the Capitol Building designated by the LCITO in which a meeting is held that is required to be open to the public pursuant to the KOMA.

Background

At the hearing in the Senate Federal and State Affairs Committee, Senator Wolf, along with representatives of the Kansas Association of Broadcasters and the Kansas Policy Institute, appeared in support of the bill. The proponents testified that the bill would be a step towards ensuring more transparency in the legislative process for the general public. Written testimony in support of the bill was provided by representatives of MainStream Coalition and Kansas PTA and by a private citizen.

The LCITO presented information testimony on how the bill would be implemented if enacted.

There was no neutral testimony or testimony in opposition to the bill.

According to the fiscal note prepared by the Division of the Budget, the Office of Legislative Administrative Services estimates the bill would require additional State General Fund expenditures of \$77,000 in FY 2016 (\$43,000 for hardware, software, and installation of audio equipment; and \$34,000 for operations and maintenance of equipment) and \$34,000 (operations and maintenance of equipment) in FY 2017. The agency notes the estimate includes the capability to stream audio “as-is” in four rooms from the existing audio equipment in the committee rooms and access to archived recording through a cloud service. Any fiscal effect associated with the bill is not reflected in *The FY 2016 Governor’s Budget Report*.