

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
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**MEMORANDUM**

To: Chairman Barker  
Members of the House Committee on Federal and State Affairs

From: Jason B. Long, Senior Assistant Revisor

Date: March 28, 2017

Subject: SB 70 – Justifications for closed or executive meetings.

Senate Bill No. 70 (SB 70) amends K.S.A. 75-4319 regarding open meetings by public bodies. Generally, all meetings of public bodies that are subject to the Kansas Open Meetings Act (KOMA) must be conducted in public. However, the law allows for closed or executive meetings on specific topics. Under K.S.A. 75-4319, a public body must recess, not adjourn, into closed session upon motion by a member of the body. The motion must state the justification for the closed meeting, the subject to be discussed, and the time and place when the body will return to its open meeting. Topics that justify closed meetings include nonelected personnel matters, attorney-client consultations, employer-employee negotiations, financial affairs and trade secrets of private entities, matters concerning care of children and investigations of child deaths, among other topics. The full list of permissible topics is set forth in the bill starting on page 1, line 23. Current law provides that no binding action may be taken while a body is recessed into closed session.

SB 70 amends subsection (a) of K.S.A. 75-4319 to clarify the contents of the motion to recess to closed session. The bill also amends the provisions of subsection (b) to clarify that justifications for a closed session involve discussions of the sensitive matters listed in subsection (b). The amendments also clarify the subject matter of certain justifications that are currently only described by cross reference to a specific statute. Finally, SB 70 strikes provisions relating to the joint committee on parole board oversight as that body is no longer in effect.

If enacted the provisions of SB 70 would be effective on July 1, 2017.