

KANSAS OFFICE of
REVISOR of STATUTES

LEGISLATURE of THE STATE of KANSAS
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MEMORANDUM

To: Chairman Estes and Members of the Committee on Federal and State Affairs
From: Matt Sterling, Assistant Revisor of Statutes
Date: March 7, 2018
RE: Senate Bill 418

SB 418 amend K.S.A. 45-230 in the Open Records Act concerning the sale of information obtained from public records. Under current law, no person can knowingly sell any list of names and addresses that are obtained from public records to another entity if that entity will use that list of names and addresses to contact those individuals on that list to sell any property or service to them. However, there are currently exceptions to this prohibition if the lists of names and addresses are:

- (1) From public records of the division of vehicles obtained under K.S.A. 74-2012;
- (2) persons licensed, registered or issued certificates to practice a profession or vocation;
- (3) persons applying for examination for licenses, registrations, certificates or permits to practice a profession or vocation;
- (4) information from voter registration lists sold solely for political campaign or election purposes;
- (5) from public records of postsecondary institutions and distributed to separate nonprofit organizations affiliated with such institution.

SB 418 would add a sixth exception to the prohibition against selling information obtained from public records under K.S.A. 45-230 and would permit lists of names and addresses from public records filed with the secretary of state pursuant to K.S.A. 84-9-523 to be sold.