



KANSAS
ASSOCIATION OF
COUNTIES

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TESTIMONY OF THE KANSAS ASSOCIATION OF COUNTIES
TO THE SENATE JUDICIARY COMMITTEE
ON SB 180

MARCH 7, 2017

Chairman Wilborn and Members of the Committee:

Thank you for holding a hearing on SB 180. KAC supports the bill, and we ask that you pass it out of committee favorably.

The bill's aim is to provide law enforcement agencies reliable personnel records on law enforcement officers during the hiring process. As you can assess, background information and personnel records on law enforcement officers are important during the hiring process to ensure that cities and counties are hiring the best-qualified individuals for these positions of integrity and trust in the local community.

A common practice among human resources departments, when called as a reference, is to provide little to no data beyond the hiring and end dates of employees. This practice has developed out of legal concerns; employers do not want liability for unfavorable personnel information that may impact an employee's hiring for another job.

We believe SB 180 provides protections to both the hiring employer requesting the information, and the former-employer to whom the request is made, so that each employer is limited in any liability under the legislation.

One point of observation; Section (f) creates an exemption to the Kansas Open Records Act by exempting the hiring agency from KORA requests. Because most county officials look to KORA for direction on how to handle record requests—and may not consider looking in this statute—we would suggest a cross-reference to KORA in the bill, so that attorneys and custodians of records will find the exemption in KORA.

We appreciate your consideration of SB 180.

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