

To: Senate Judiciary Committee

From: Amanda L. Stanley, General Counsel

Date: February 13, 2018

RE: Testimony in Support of SB 295

I want to thank Chairman Wilborn and the Committee members for allowing the League of Kansas Municipalities the opportunity to provide testimony in support of SB 295. SB 295 is the annual legislative review of exceptions to disclosure of public records.

The League supports this legislation specifically for the continuation of the following exemptions from the Kansas Open Records Act (KORA):

K.S.A. 45-221(a)(26) provides an exemption from KORA for “the Records of a utility or other public service pertaining to individually identifiable residential customers of the utility or service.” This exemption prevents persons from making commercial use of customer utility records by developing mailing lists from such records. This exemption is also important for protecting domestic violence and stalking victims by making it harder for their abusers to locate them through public records.

K.S.A. 45-221(a)(54) provides an exemption from KORA for “Records of a utility concerning information about cyber security threats, attacks or general attempts to attack utility operations provided to law enforcement agencies, the state corporation commission, the federal energy regulatory commission, the department of energy, the southwest power pool, the North American electric reliability corporation, the federal communications commission or any other federal, state or regional organization that has a responsibility for the safeguarding of telecommunications, electric, potable water, waste water disposal or treatment, motor fuel or natural gas energy supply systems.” This exemption is essential for municipal utilities cybersecurity.

Finally, under KS 75-7c20, a municipality may prohibit the carrying of a concealed handgun in a municipal building if the building has adequate security measures as defined in the statute. The League supports the continued exemption from KORA of municipal security plans pursuant to this statute.

SB 295 continues necessary exemptions from the KORA. We respectfully ask this Committee forward SB 295 to the full Senate for its consideration.