

SESSION OF 2018

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2700

As Amended by House Committee of the Whole

Brief*

HB 2700, as amended, would amend law related to the disclosure of personal information on public records to require the redaction of all portions of an individual's social security number on any document or record before it is made available for public inspection or copying. The provisions of the bill would not apply to documents recorded in the official records of any county recorder of deeds or in the official records of the courts.

The bill would also require an agency to:

- Give notice, as defined in the consumer information protection statutes, to any individual when the agency becomes aware of the unauthorized disclosure of the individual's personal information. Notice would be required to be given as expeditiously as possible and without unreasonable delay, while also considering the legitimate needs of law enforcement and any measures necessary to determine the scope of unauthorized disclosure;
- Offer to the affected individual credit monitoring services at no cost for one year;
- Provide all information necessary for the affected individual to enroll in such credit monitoring services; 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>

- Provide information to the affected individual on how a security freeze could be placed on the individual's consumer report.

Background

The bill was introduced by Representative Esau and referred to the House Committee on Government, Technology and Security. In the House Committee hearing, Representative Esau testified in support of the bill, stating the need to protect an individual's private information on forms that are available for public inspection or copying. Neutral testimony was provided by a representative of the Kansas Supreme Court, who stated concerns about the burden the bill would create for court employees and individuals desiring access to court records. Written neutral testimony was submitted by the Governmental Ethics Commission. No opponent testimony was provided.

The House Committee of the Whole amended the bill by adding a provision requiring agencies to give notice when an individual's information has been disclosed in violation of the bill, and also requiring agencies to provide credit monitoring services to individuals subjected to unauthorized disclosure.

The fiscal note for the bill, published following action by the House Committee, states enactment of the bill would require state agencies to ensure that any portion of an individual's social security number to be redacted from any documents that are made public, which would require additional staff time by agencies. However, any fiscal effect resulting from the additional staff time would be expected to be negligible.