

To: House Judiciary Committee  
From: Deborah Barnes, Staff Attorney  
Date: March 9, 2020  
RE: Proponent for SB 331

I want to thank Chairman Patton and the members of the Committee for giving the League of Kansas Municipalities the opportunity to provide testimony in support of SB 331.

While the general rule in Kansas is that all public records should be open to inspection by the public, this legislature has previously wisely recognized that there are certain records that, because of important privacy or security reasons, should not be open. SB 331 amends the section of the Kansas open records act that lists the categories where a public agency has discretion as to whether to disclose records.

K.S.A. 45-221(51)-(52) protects the privacy of various categories of federal, state and municipal employees who request it, by restricting information as to the home address or home ownership of these employees. Without this restriction, that information would be searchable on a public website. The employees protected by the unamended act are federal, state and municipal judges and state and municipal attorneys. SB 331 amends this section of the law to continue important current protections and to widen the protection to include other state and – importantly for our members - municipal employees whose safety could otherwise be compromised because of the work that they do to serve their communities. The new categories are parole officers, probation officers, court services officers, community correctional services officers, department of correction employees, local correctional and detention officers.

Unfortunately, people serving in these positions can be, worst case scenario, at risk of bodily harm and threats for the work that they do, or, the targets of invasive overtures and phone calls at their homes by persons going through court processes for a variety of reasons. The League welcomes the added protection that this amendment will give to people serving in these positions and supports the continuation of the current protections for municipal judges and city attorneys.

For these reasons, the League supports SB 331 and respectfully asks this Committee to pass the bill to the full House for consideration.