



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

DEREK SCHMIDT
ATTORNEY GENERAL

MEMORIAL HALL
120 SW 10TH AVE., 2ND FLOOR
TOPEKA, KS 66612-1597
(785) 296-2215 • FAX (785) 296-6296
WWW.AG.KS.GOV

**Testimony in Support of Senate Bill 427
An Act Concerning the Open Records Act**

**Presented to the House Committee on Judiciary
By Assistant Attorney General Jordan Brewer, Tobacco Enforcement Unit**

March 12, 2020

Chairman Patton and Members of the Committee:

The Office of the Attorney General respectfully submits the following testimony to the Committee in support of Section 4 of Senate Bill 427, An Act Concerning the Open Records Act. We express no position on the other provisions included in this bill.

Section 4 of this bill removes the expiration clause in subsection (f) of K.S.A. 50-6a11. This subsection keeps confidential all tobacco sales data shared between the director, attorney general, and data clearinghouse.

The calculations performed pursuant to the master settlement agreement require this data to be shared by the parties involved. In order to do so, pursuant to agreement, the data must be kept confidential by the parties. Without this confidentiality, the data would not be shared and certain calculations would not be performed. This could have a negative impact the state's annual payment.

Therefore, for purposes of the state's congoing obligations under the master settlement agreement, it is important to remove the expiration and allow this statute to continue into the future and keep the data confidential.

Thank you for the opportunity to present this testimony on behalf of the Office of the Attorney General.

###