

SESSION OF 2021

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2292

As Recommended by House Committee on
Judiciary

Brief*

HB 2292 would amend an exception in the Kansas Open Records Act related to records of emergency or security information or procedures of a public agency.

The bill would extend this exception to not require a public agency to disclose records of or procedures related to cybersecurity plans, assessments, and vulnerabilities if disclosure would jeopardize public safety.

The bill would define “cybersecurity assessment,” “cybersecurity plan,” and “cybersecurity vulnerability” and make technical amendments to ensure consistency in statutory phrasing.

Background

The bill was introduced by the House Committee on Judiciary at the request of Representative Patton on behalf of the Secretary of State.

House Committee on Judiciary

In the House Committee hearing on February 17, 2021, representatives of the Office of Secretary of State, WaterOne, and the League of Kansas Municipalities testified as **proponents** of the bill. A representative of the Kansas Press

*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>

Association provided written-only proponent testimony. Proponents generally stated the bill would strengthen protections for public entities in an era of increasing cyberthreats. No other testimony was provided.

On February 23, 2021, the House Committee recommended the bill be placed on the Consent Calendar.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget, the Office of the Attorney General states enactment of the bill would not have a fiscal effect on the agency. The Kansas Association of Counties states enactment of the bill would have a negligible effect on county governments, and the League of Kansas Municipalities states enactment of the bill would have no fiscal effect on cities.

Kansas Open Records Act; exemption; cybersecurity