

SCOTT SCHWAB
Secretary of State



Memorial Hall, 1st Floor
120 S.W. 10th Avenue
Topeka, KS 66612-1594
(785) 296-4564
sos.ks.gov

STATE OF KANSAS

March 20, 2024

Testimony on HB2615 (In Person / Proponent)

Senate Committee on Federal and State Affairs

Thursday, March 21, 2024

Chair Thompson and members of the Committee:

Thank you for the opportunity to provide testimony on House Bill 2615 which was introduced by the Secretary of State's office to modernize the publishing of Kansas administrative regulations. (KARs) as well as better align supply with demand for Kansas Statutes Annotated (KSA) distribution.

Kansas Administrative Regulations:

In 2021, the Legislature authorized the Secretary of State to publish the KARs in an online only format. The last bound volumes were printed in early 2023. The online version is now the official version of the regulation.

This bill completes the transition away from bound volumes by repealing or amending the remaining legacy statutes that still contain provisions relating to bound volumes.

The Secretary of State began placing pdf copies of regulations online in 2006 and in 2018 transitioned to a searchable online format. This transition required the herculean task of proofreading every word of every regulation to ensure accuracy.

All Kansas regulations are currently available to the public online, at no cost.

There are several reasons driving this modernization.

First, the online version is more user friendly than bound volumes. Unlike the bound volumes, the online version is word searchable, regulations can be printed from the screen, the user can cut and paste from the regulation, and other agencies can link to the online regulations on their webpage.

Second, unlike new laws, where most go into effect at the same time after the legislative session ends, regulations are adopted in a constant stream throughout the year. As a result, the annual bound KAR supplement was outdated as soon as it was printed. To use the bound volumes, an individual would need to have *three* references open at the same time – the base KAR volume, the annual KAR Supplement, and the Kansas Register (to catch any recent changes). The online version, in contrast, is always current.

Finally, there will be fiscal savings. The demand for printed volumes has steadily declined over time. As demand decreased, the cost per volume increased, which further depressed demand. The agency is charged with setting the bound volume price at no more than cost. The agency, however, charged less than cost to avoid charging an exorbitant price. Additionally, because the agency had to ensure there were adequate volumes available, more volumes were printed than were eventually needed and, as a result, unused volumes were disposed of when no longer needed. Finally, the agency will no longer need to rent the warehouse space to store bound volumes.

Kansas Statute Annotated:

As required by KSA 77-165 and 77-138, our office delivers KSA volumes and supplements annually to the Kansas legislature *automatically*, without request. Anecdotally, our office has received phone calls asking why another publication has been sent to their office, as well as requests to return the publication.

Thank you for the opportunity to testify.

/Clayton Barker

Clayton L. Barker
Deputy Secretary of State, General Counsel
Office of the Kansas Secretary of State
clay.barker2@ks.gov