



Kansas Bureau of Investigation

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Neutral Testimony on Senate Bill 219 Before the Senate Standing Committee on Judiciary

**Kirk Thompson, Director
Kansas Bureau of Investigation**

March 18, 2019

Chairman Wilborn and Members of the Committee:

My name is Kirk Thompson and I have the privilege of serving as the Director of the Kansas Bureau of Investigation. Thank you for the opportunity to provide neutral testimony on Senate Bill 219, which proposes changes to the scrap metal theft reduction act passed by the Kansas Legislature in 2015 with the intent of preventing scrap metal theft and aiding in the prosecution of those responsible.

The changes proposed in SB 219 which are relevant to the KBI are as follows:

- Transfers responsibility of the establishment and maintenance of the scrap metal database from the Office of the Kansas Attorney General to the KBI;
- Requires the KBI to establish the required database before January 1, 2020;
- Establishes a scrap metal data repository fund, to be administered by the KBI, for purposes of fulfilling the related administration of duties, functions, and operating expenses.

To facilitate establishing and maintaining the scrap metal database, the KBI would hire a Program Consultant tasked with the following: assist in implementation of the new system; provide training and technical assistance related to data entry to salvage yard employees; provide training and technical assistance related to system inquiries to local law enforcement agencies; conduct analysis of information in the database and share information regarding suspected criminal activity to local law enforcement authorities.

The taxes or fees imposed upon scrap metal dealers pursuant to New Section 1 will be collected by the Director of Taxation and deposited into the scrap metal theft reduction fee fund administered by the Attorney General. The Attorney General will then transfer to the scrap metal data repository fund the monies necessary for the KBI to cover costs associated with the database establishment and maintenance, as well as the one full-time employee.

I understand the intent of SB 219 and the reasons behind its proposed changes. While we will be supportive of whatever results from the legislative process, and stand ready to implement the provisions as required, we do have some reservations we would ask you to consider.

- The amount of revenue that may be generated is unknown. We will not be able to develop, deploy, and maintain the database as required or maintain staff support in the absence of sufficient funding.
- The specified date by which we would be required to develop and deploy the database – January 1, 2020 – presents an aggressive timeline in the context of Information Technology product development. While SB 219 does allow the KBI to contract with a third party to complete the work, it remains a tall order given the anticipated system specifications.
- While the taxes or fees will be imposed beginning in FY 2020, we anticipate expenditures in FY 2019 in order to implement the provisions as required. There is no clear mechanism for providing the required up-front funding.

I am also aware of the interest some may have in reducing the type and amount of information that would be captured and entered into the database. While this is a public policy decision, the information that comes out of the system will only be as good as that which goes in. In order for the database to aid in accomplishing the original intent of identifying individuals stealing and selling scrap metal and aiding in their prosecution, careful consideration should be given to diminishing the type and amount of information gathered.

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