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MEMORANDUM

To: House Committee on Judiciary
From: Office of Revisor of Statutes
Date: January 27, 2021
Subject: Bill Brief on HB 2096

HB 2096 authorizes department of corrections employees, local correctional or detention officers, judicial branch employees, municipal court employees and administrative hearing officers to have identifying information restricted from public access on public websites that identify home addresses or home ownership.

The bill amends K.S.A. 45-221, a statute in the open records act describing records that a public agency is not required to disclose. The bill makes technical amendments throughout the statute, but the primary amendment is to subsection (a)(51) on pages 7 and 8. Current law allows a law enforcement officer, parole officer, probation officer, court services officer, community correctional services officer, a federal judge, a justice of the supreme court, a judge of the court of appeals, a district judge, a district magistrate judge, a municipal judge, the United States attorney for the district of Kansas, an assistant United States attorney, a special assistant United States attorney, the attorney general, an assistant attorney general, a special assistant attorney general, a county attorney, an assistant county attorney, a special assistant county attorney, a district attorney, an assistant district attorney, a special assistant district attorney, a city attorney, an assistant city attorney or a special assistant city attorney to request that such person's identifying information be restricted from public access in records of a public agency on a public website that identifies home addresses or home ownership. The bill would authorize an employee of the department of corrections, a local correctional officer, a local detention officer, an employee of the judicial branch, a presiding officer who conducts hearings pursuant to the Kansas administrative procedure act, an administrative law judge employed by the office of administrative hearings, a member of the state board of tax appeals, an administrative law judge

who conducts hearings pursuant to the workers compensation act, a member of the workers' compensation appeals board or an employee of a municipal court to make such a request.

Current law regarding the request process and timing of the restriction is maintained. The public agency is required to restrict such person's identifying information from public access within 10 business days of receipt of such a request. The restriction expires after five years and the person may file a new request for restriction at any time.