

To: Senate Committee, Transparency and Ethics

From: Deborah Barnes, Staff Attorney

Date: February 24, 2021

RE: Substitute for HB 2049 - Neutral Testimony

We want to thank Chairwoman Bowers and Committee members for giving the League of Kansas Municipalities the opportunity to provide neutral testimony on Sub. HB 2049.

Sub. HB 2049 would clarify the Legislative Post Audit's (LPA) authority under K.S.A. 46-114 by adding a provision prohibiting any public agency that is the subject of an audit carried out under the statute from charging a fee for copies of or access to the records required for audit.

While we understand the public policy behind this bill, we ask that there continue to be an expectation of the Legislature that LPA be reasonable in their requests and cognizant of not disrupting vital services.

We support the changes made by the House, and now brought for consideration before this Committee, to place this provision in the LPA statutes rather than in the Kansas Open Records Act.