

UPDATED
SESSION OF 2018

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2598

As Recommended by House Committee on
Federal and State Affairs

Brief*

HB 2598 would amend the section of the Kansas Open Records Act (KORA) related to the unlawful use of names derived from public records.

The bill would create an additional exception to the general prohibition in KORA against selling, giving, or receiving any list of names and addresses from public records for sales purposes. The new exception would apply to lists of names and addresses derived from public records of the Secretary of State related to secured transactions under the Uniform Commercial Code (UCC).

Background

The bill was introduced by the House Committee on Federal and State Affairs at the request of Representative Highland. In the House Committee hearing, proponent testimony was provided by a representative of Randall-Reilly. The proponent indicated Kansas is the only state that limits the use of information found in UCC filings. Written proponent testimony was also provided by the Association of Equipment Manufacturers.

Neutral testimony was provided by the Deputy Assistant Secretary of State, Business Services Division, who provided an overview of the UCC filings maintained by the Secretary of

*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>

State. These filings relate to financial transactions secured by an interest in certain personal and commercial property, and in which both the debtor and creditor agree to secure a debt by such property. No other testimony was provided.

The House Committee recommended the bill be placed on the Consent Calendar.

According to the fiscal note prepared by the Division of Budget on the bill, as introduced, the Office of the Attorney General and the Office of the Secretary of State indicated enactment of the bill would have no fiscal effect.