

SENATE BILL No. 249

SB249\_PostAudit\_Balloon.pdf  
RS - JThompson - 01/17/12

By Legislative Post Audit Committee

11-16

1 AN ACT concerning the division of post audit; relating to employees;  
2 criminal history record check; amending K.S.A. 46-1103 and repealing  
3 the existing section.  
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 46-1103 is hereby amended to read as follows: 46-

7 1103. There is hereby established the division of post audit within the

8 legislative branch of the government. The division of post audit shall be

9 under the direct supervision of the post auditor in accordance with policies

10 adopted by the legislative post audit committee. Employees in the division

11 of post audit shall be in the unclassified service, shall receive such

12 compensation as is provided under this act and shall be covered by the

13 state group health plan and Kansas public employees retirement system to

14 the same extent as other state employees. Employees of the division of

15 post audit shall receive travel expenses and subsistence expenses and

16 allowances as provided for other state employees. Employees in the

17 division of post audit shall be employed by and be responsible to the post

18 auditor who shall fix the compensation of each such employee subject to

19 approval of the legislative post audit committee and within budget and

20 appropriations therefor. ~~The post auditor may require a person to be~~

21 ~~fingerprinted and submit to a state and national criminal history record~~

22 ~~check. The fingerprints shall be used to identify the person and to~~

23 ~~determine whether the person has a record of criminal history in this state~~

24 ~~or other jurisdiction. The post auditor is authorized to submit the~~

25 ~~fingerprints to the Kansas bureau of investigation and the federal bureau~~

26 ~~of investigation for a state and national criminal history record check. The~~

27 ~~post auditor may use the information obtained from fingerprinting and the~~

28 ~~criminal history for purposes of verifying the identification of the person~~

29 ~~and in the official determination of the qualifications and fitness of the~~

30 ~~person to be employed by the division of post audit.~~ The annual budget

31 request of the division shall be prepared by the post auditor and the post

32 auditor shall present it to the legislative post audit committee. The

33 committee shall make any changes it desires in said budget request and

34 then shall transmit it to the legislative coordinating council. Such council

35 shall make any changes it desires in such budget request and upon

36 approval of the budget request by the council, the post auditor shall submit

(a)

(b) (1)

(2)

(3)

(c) (1) and (2) - SEE ATTACHED

(d)

1 it to the director of the budget as other budget requests are submitted.

2 Sec. 2. K.S.A. 46-1103 is hereby repealed.

3 Sec. 3. This act shall take effect and be in force from and after its  
4 publication in the statute book.  
5

(c) (1) The post auditor may require employees of the division of post audit to be fingerprinted and submit to a state and national criminal history record check. The fingerprints shall be used to identify the employee and to determine whether the employee has a record of criminal history in this state or another jurisdiction. The post auditor shall submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. Local and state law enforcement officers and agencies shall assist the post auditor in taking and processing of fingerprints of employees. The post auditor may use the information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the employee and in the official determination of the qualifications and fitness of the employee to be employed by the division of post audit.

(2) Any person offered a position of employment in the division of post audit, subject to a criminal history records check, shall be given a written notice that a criminal history records check is required. The post auditor may require such applicant to be fingerprinted and submit to a state and national criminal history record check. The fingerprints shall be used to identify the applicant and to determine whether the applicant has a record of criminal history in this state or another jurisdiction. The post auditor shall submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. Local and state law enforcement officers and agencies shall assist the post auditor in taking and processing of fingerprints of applicants. The post auditor may use the information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the applicant and in the official determination of the eligibility of the applicant to perform tasks within the division of post audit. If the criminal history record information is used to disqualify an applicant, the applicant shall be informed in writing of that decision.