

SESSION OF 2015

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2009

As Amended by House Committee on Judiciary

Brief*

HB 2009 would allow the Division of Post Audit to require persons who contract to work with or work under the direction of the Post Auditor to be fingerprinted and submit to a state and national criminal history record check. The information could be used to verify the identification of such persons and to determine their qualifications and fitness to work with the Division in any capacity. If offered a position of employment, the bill would require written notice that a criminal history check is required, as well as written notice if the criminal history information is used to disqualify a person from employment or a contract offer. Local law enforcement officers and agencies would be required to assist in the taking and processing of fingerprints, and the bill would allow them to charge a fee as reimbursement for expenses incurred.

Background

The bill was introduced at the request of the Legislative Post Audit Committee. In the House Judiciary Committee the Legislative Post Auditor appeared in support of the bill, saying criminal history checks are an important part of minimizing security risks associated with employee access to sensitive and confidential information needed as part of an audit. He explained 2012 SB 249 gave the Division this authority for its employees; however, in recent years the Division has hired others on a temporary basis and requests expanded authority to continue to ensure the security of data. A representative of the Kansas Association of Chiefs of Police, Kansas Peace

*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>

Officers Association, and Kansas Sheriffs' Association gave neutral testimony and proposed an amendment that would allow local law enforcement officers and agencies to charge a fee as reimbursement for expenses incurred in taking and processing fingerprints.

The House Committee on Judiciary amended the bill by adopting the proposed amendment concerning fees and removed references to contractors and temporary workers. Instead, the bill would apply to persons who "contract to work with or work under the direction of the Post Auditor."

The Division of the Budget's fiscal note for the bill as introduced indicates enactment could result in additional costs related to background checks, including fingerprinting costs; however, the number of checks that would be performed is not known. Additional costs would be borne within the existing budget of the Division of Post Audit and is not reflected in the 2016 Governor's Budget Report.