

Senate Substitute for HOUSE BILL No. 2137

By Committee on Judiciary

5-21

1 AN ACT concerning open records; relating to the open records act,
2 exceptions to the disclosure of public records; legislative review of
3 expiring sections, continuing such exceptions; eliminating a photograph
4 record requirement in the scrap metal theft reduction act; amending
5 K.S.A. 2018 Supp. 50-6,110, as amended by section 6 of chapter 66 of
6 the 2019 Session Laws of Kansas, and K.S.A. 2019 Supp. 9-1810, 40-
7 223j, 45-229 and 50-6a11 and repealing the existing sections.
8

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

10 Section 1. K.S.A. 2019 Supp. 9-1810 is hereby amended to read as
11 follows: 9-1810. (a) The commissioner may enter into any informal
12 agreement with any bank or trust company for a plan of action to address
13 possible safety or soundness concerns, violations of law or any weakness
14 displayed by the bank or trust company if the commissioner determines
15 that the bank or trust company displays:

16 (1) Possible safety and soundness concerns or is violating, has
17 violated or is about to violate any law, rule and regulation or order of the
18 commissioner or the state banking board resulting in a less than
19 satisfactory condition, but not to a degree requiring formal administrative
20 action; or

21 (2) any weakness that if not properly addressed and corrected would
22 reasonably be expected to result in future safety and soundness concerns,
23 violations of applicable laws, rules and regulations and further
24 deterioration in the condition of the bank or trust company.

25 (b) The adoption of an informal agreement authorized by this section
26 shall not be subject to the provisions of K.S.A. 77-501 et seq., and
27 amendments thereto, or K.S.A. 77-601 et seq., and amendments thereto.
28 Any informal agreement authorized by this section shall not be considered
29 an order or other agency action and shall be considered confidential
30 examination material pursuant to K.S.A. 9-1712, and amendments thereto.
31 ~~The provisions of this subsection shall expire on July 1, 2020, unless the~~
32 ~~legislature reviews and reenacts this provision pursuant to K.S.A. 45-229,~~
33 ~~and amendments thereto, prior to July 1, 2020.~~

34 Sec. 2. K.S.A. 2019 Supp. 40-223j is hereby amended to read as
35 follows: 40-223j. (a) The statement of actuarial opinion shall be provided
36 with the annual statement in accordance with the appropriate NAIC

1 property and casualty annual statement instructions and shall be treated as
2 a public document.

3 (b) (1) Any document, material or other information, in the control or
4 possession of the department that is furnished to the commissioner
5 pursuant to this act or obtained by the commissioner in an investigation
6 pursuant to this section shall be kept confidential by the commissioner.
7 Such information shall not be made public or subject to subpoena, other
8 than by the commissioner and then only for the purpose of enforcement
9 actions taken by the commissioner pursuant to this act or any other
10 provision of the insurance laws of this state.

11 (2) (A) This subsection shall not be construed to limit the
12 commissioner's authority to release the documents to the actuarial board
13 for counseling and discipline so long as the material is required for the
14 purpose of professional disciplinary proceedings and that the actuarial
15 board for counseling and discipline establishes procedures satisfactory to
16 the commissioner for preserving the confidentiality of the documents.

17 (B) This subsection shall not be construed to limit the commissioner's
18 authority to use the documents, materials or other information in
19 furtherance of any regulatory or legal action brought as part of the
20 commissioner's official duties.

21 (3) Neither the commissioner nor any person who received
22 documents, materials or other information while acting under the authority
23 of the commissioner shall be required to testify in any private civil action
24 concerning any confidential documents, materials or information subject to
25 paragraph (1).

26 (4) The commissioner may share or exchange any documents,
27 materials or other information, including confidential and privileged
28 documents referred to in paragraph (1), received in the performance of the
29 commissioner's duties under this act, with:

30 (A) The NAIC and its affiliates and subsidiaries;

31 (B) the actuarial board for counseling and discipline or any other
32 entity which regulates actuaries;

33 (C) other state, federal or international regulatory agencies; and

34 (D) other state, federal or international law enforcement authorities.

35 (5) (A) The sharing or exchanging of documents, materials or other
36 information under this subsection shall be conditioned upon the recipient's
37 authority and agreement to maintain the confidential and privileged status,
38 if any, of the documents, materials or other information being shared or
39 exchanged.

40 (B) No waiver of an existing privilege or claim of confidentiality in
41 the documents, materials or information shall occur as a result of
42 disclosure to the commissioner under this section or as a result of sharing
43 such documents, materials or information as authorized by this subsection.

1 (6) The commissioner of insurance is hereby authorized to adopt such
2 rules and regulations establishing protocols governing the exchange of
3 information as may be necessary to implement and carry out the provisions
4 of this act.

5 ~~(c) The provisions of subsection (b)(2) shall expire on July 1, 2020,~~
6 ~~unless the legislature acts to reenact such provision. The provisions of~~
7 ~~subsection (b)(2) shall be reviewed by the legislature prior to July 1, 2020.~~

8 ~~(d) For the purposes of this section:~~

9 (1) "Commissioner" ~~shall mean~~ *means* the commissioner of
10 insurance.

11 (2) "NAIC" ~~shall mean~~ *means* the national association of insurance
12 commissioners.

13 Sec. 3. K.S.A. 2019 Supp. 45-229 is hereby amended to read as
14 follows: 45-229. (a) It is the intent of the legislature that exceptions to
15 disclosure under the open records act shall be created or maintained only
16 if:

17 (1) The public record is of a sensitive or personal nature concerning
18 individuals;

19 (2) the public record is necessary for the effective and efficient
20 administration of a governmental program; or

21 (3) the public record affects confidential information.

22 The maintenance or creation of an exception to disclosure must be
23 compelled as measured by these criteria. Further, the legislature finds that
24 the public has a right to have access to public records unless the criteria in
25 this section for restricting such access to a public record are met and the
26 criteria are considered during legislative review in connection with the
27 particular exception to disclosure to be significant enough to override the
28 strong public policy of open government. To strengthen the policy of open
29 government, the legislature shall consider the criteria in this section before
30 enacting an exception to disclosure.

31 (b) Subject to the provisions of subsections (g) and (h), any new
32 exception to disclosure or substantial amendment of an existing exception
33 shall expire on July 1 of the fifth year after enactment of the new
34 exception or substantial amendment, unless the legislature acts to continue
35 the exception. A law that enacts a new exception or substantially amends
36 an existing exception shall state that the exception expires at the end of
37 five years and that the exception shall be reviewed by the legislature
38 before the scheduled date.

39 (c) For purposes of this section, an exception is substantially
40 amended if the amendment expands the scope of the exception to include
41 more records or information. An exception is not substantially amended if
42 the amendment narrows the scope of the exception.

43 (d) This section is not intended to repeal an exception that has been

1 amended following legislative review before the scheduled repeal of the
2 exception if the exception is not substantially amended as a result of the
3 review.

4 (e) In the year before the expiration of an exception, the revisor of
5 statutes shall certify to the president of the senate and the speaker of the
6 house of representatives, by July 15, the language and statutory citation of
7 each exception that will expire in the following year that meets the criteria
8 of an exception as defined in this section. Any exception that is not
9 identified and certified to the president of the senate and the speaker of the
10 house of representatives is not subject to legislative review and shall not
11 expire. If the revisor of statutes fails to certify an exception that the revisor
12 subsequently determines should have been certified, the revisor shall
13 include the exception in the following year's certification after that
14 determination.

15 (f) "Exception" means any provision of law that creates an exception
16 to disclosure or limits disclosure under the open records act pursuant to
17 K.S.A. 45-221, and amendments thereto, or pursuant to any other
18 provision of law.

19 (g) A provision of law that creates or amends an exception to
20 disclosure under the open records law shall not be subject to review and
21 expiration under this act if such provision:

22 (1) Is required by federal law;

23 (2) applies solely to the legislature or to the state court system;

24 (3) has been reviewed and continued in existence twice by the
25 legislature; or

26 (4) has been reviewed and continued in existence by the legislature
27 during the 2013 legislative session and thereafter.

28 (h) (1) The legislature shall review the exception before its scheduled
29 expiration and consider as part of the review process the following:

30 (A) What specific records are affected by the exception;

31 (B) whom does the exception uniquely affect, as opposed to the
32 general public;

33 (C) what is the identifiable public purpose or goal of the exception;

34 (D) whether the information contained in the records may be obtained
35 readily by alternative means and how it may be obtained;

36 (2) an exception may be created or maintained only if it serves an
37 identifiable public purpose and may be no broader than is necessary to
38 meet the public purpose it serves. An identifiable public purpose is served
39 if the legislature finds that the purpose is sufficiently compelling to
40 override the strong public policy of open government and cannot be
41 accomplished without the exception and if the exception:

42 (A) Allows the effective and efficient administration of a
43 governmental program that would be significantly impaired without the

1 exception;

2 (B) protects information of a sensitive personal nature concerning
3 individuals, the release of such information would be defamatory to such
4 individuals or cause unwarranted damage to the good name or reputation
5 of such individuals or would jeopardize the safety of such individuals.
6 Only information that would identify the individuals may be excepted
7 under this paragraph; or

8 (C) protects information of a confidential nature concerning entities,
9 including, but not limited to, a formula, pattern, device, combination of
10 devices, or compilation of information that is used to protect or further a
11 business advantage over those who do not know or use it, if the disclosure
12 of such information would injure the affected entity in the marketplace.

13 (3) Records made before the date of the expiration of an exception
14 shall be subject to disclosure as otherwise provided by law. In deciding
15 whether the records shall be made public, the legislature shall consider
16 whether the damage or loss to persons or entities uniquely affected by the
17 exception of the type specified in paragraph (2)(B) or (2)(C) would occur
18 if the records were made public.

19 (i) (1) Exceptions contained in the following statutes as continued in
20 existence in section 2 of chapter 126 of the 2005 Session Laws of Kansas
21 and that have been reviewed and continued in existence twice by the
22 legislature as provided in subsection (g) are hereby continued in existence:
23 1-401, 2-1202, 5-512, 9-1137, 9-1712, 9-2217, 10-630, 11-306, 12-189,
24 12-1,108, 12-1694, 12-1698, 12-2819, 12-4516, 16-715, 16a-2-304, 17-
25 1312e, 17-2227, 17-5832, 17-7511, 17-7514, 17-76,139, 19-4321, 21-
26 2511, 22-3711, 22-4707, 22-4909, 22a-243, 22a-244, 23-605, 23-9,312,
27 25-4161, 25-4165, 31-405, 34-251, 38-2212, 39-709b, 39-719e, 39-934,
28 39-1434, 39-1704, 40-222, 40-2,156, 40-2c20, 40-2c21, 40-2d20, 40-2d21,
29 40-409, 40-956, 40-1128, 40-2807, 40-3012, 40-3304, 40-3308, 40-3403b,
30 40-3421, 40-3613, 40-3805, 40-4205, 44-510j, 44-550b, 44-594, 44-635,
31 44-714, 44-817, 44-1005, 44-1019, 45-221(a)(1) through (43), 46-256, 46-
32 259, 46-2201, 47-839, 47-844, 47-849, 47-1709, 48-1614, 49-406, 49-427,
33 55-1,102, 58-4114, 59-2135, 59-2802, 59-2979, 59-29b79, 60-3333, 60-
34 3336, 65-102b, 65-118, 65-119, 65-153f, 65-170g, 65-177, 65-1,106, 65-
35 1,113, 65-1,116, 65-1,157a, 65-1,163, 65-1,165, 65-1,168, 65-1,169, 65-
36 1,171, 65-1,172, 65-436, 65-445, 65-507, 65-525, 65-531, 65-657, 65-
37 1135, 65-1467, 65-1627, 65-1831, 65-2422d, 65-2438, 65-2836, 65-2839a,
38 65-2898a, 65-3015, 65-3447, 65-34,108, 65-34,126, 65-4019, 65-4922,
39 65-4925, 65-5602, 65-5603, 65-6002, 65-6003, 65-6004, 65-6010, 65-
40 67a05, 65-6803, 65-6804, 66-101c, 66-117, 66-151, 66-1,190, 66-1,203,
41 66-1220a, 66-2010, 72-996, 72-4311, 72-4452, 72-5214, 72-53,106, 72-
42 5427, 72-8903, 73-1228, 74-2424, 74-2433f, 74-4905, 74-4909, 74-
43 50,131, 74-5515, 74-7308, 74-7338, 74-8104, 74-8307, 74-8705, 74-8804,

1 74-9805, 75-104, 75-712, 75-7b15, 75-1267, 75-2943, 75-4332, 75-4362,
 2 75-5133, 75-5266, 75-5665, 75-5666, 75-7310, 76-355, 76-359, 76-493,
 3 76-12b11, 76-3305, 79-1119, 79-1437f, 79-3234, 79-3395, 79-3420, 79-
 4 3499, 79-34,113, 79-3614, 79-3657, 79-4301 and 79-5206.

5 (2) Exceptions contained in the following statutes as certified by the
 6 revisor of statutes to the president of the senate and the speaker of the
 7 house of representatives pursuant to subsection (e) and that have been
 8 reviewed during the 2015 legislative session and continued in existence by
 9 the legislature as provided in subsection (g) are hereby continued in
 10 existence: 17-2036, 40-5301, 45-221(a)(45), (46) and (49), 48-16a10, 58-
 11 4616, 60-3351, 72-972a, 74-50,217 and 75-53,105.

12 (j) (1) Exceptions contained in the following statutes as continued in
 13 existence in section 1 of chapter 87 of the 2006 Session Laws of Kansas
 14 and that have been reviewed and continued in existence twice by the
 15 legislature as provided in subsection (g) are hereby continued in existence:
 16 1-501, 9-1303, 12-4516a, 39-970, 65-525, 65-5117, 65-6016, 65-6017 and
 17 74-7508.

18 (2) Exceptions contained in the following statutes as certified by the
 19 revisor of statutes to the president of the senate and the speaker of the
 20 house of representatives pursuant to subsection (e) during 2015 and that
 21 have been reviewed during the 2016 legislative session are hereby
 22 continued in existence: 12-5611, 22-4906, 22-4909, 38-2310, 38-2311, 38-
 23 2326, 40-955, 44-1132, 45-221(a)(10)(F) and (a)(50), 60-3333, 65-4a05,
 24 65-445(g), 65-6154, 71-218, 75-457, 75-712c, 75-723 and 75-7c06.

25 (k) Exceptions contained in the following statutes as certified by the
 26 revisor of statutes to the president of the senate and the speaker of the
 27 house of representatives pursuant to subsection (e) and that have been
 28 reviewed during the 2014 legislative session and continued in existence by
 29 the legislature as provided in subsection (g) are hereby continued in
 30 existence: 1-205, 2-2204, 8-240, 8-247, 8-255c, 8-1324, 8-1325, 12-
 31 17,150, 12-2001, 17-12a607, 38-1008, 38-2209, 40-5006, 40-5108, 41-
 32 2905, 41-2906, 44-706, 44-1518, 45-221(a)(44), (45), (46), (47) and (48),
 33 50-6a11, 56-1a610, 56a-1204, 65-1,243, 65-16,104, 65-3239, 74-50,184,
 34 74-8134, 74-99b06, 77-503a and 82a-2210.

35 (l) Exceptions contained in the following statutes as certified by the
 36 revisor of statutes to the president of the senate and the speaker of the
 37 house of representatives pursuant to subsection (e) during 2016 and that
 38 have been reviewed during the 2017 legislative session are hereby
 39 continued in existence: 12-5711, 21-2511, 22-4909, 38-2313, 45-221(a)
 40 (51) and (52), 65-516, 65-1505, 74-2012, 74-5607, 74-8745, 74-8752, 74-
 41 8772, 75-7d01, 75-7d05, 75-5133, 75-7427 and 79-3234.

42 (m) Exceptions contained in the following statutes as certified by the
 43 revisor of statutes to the president of the senate and the speaker of the

1 house of representatives pursuant to subsection (e) during 2012 and that
2 have been reviewed during the 2013 legislative session and continued in
3 existence by the legislature as provided in subsection (g) are hereby
4 continued in existence: 12-5811, 40-222, 40-223j, 40-5007a, 40-5009a,
5 40-5012a, 65-1685, 65-1695, 65-2838a, 66-1251, 66-1805, 72-60c01, 75-
6 712 and 75-5366.

7 (n) Exceptions contained in the following statutes as certified by the
8 revisor of statutes to the president of the senate and the speaker of the
9 house of representatives pursuant to subsection (e) and that have been
10 reviewed during the 2018 legislative session are hereby continued in
11 existence: 9-513c(c)(2), 39-709, 45-221(a)(26), (53) and (54), 65-6832,
12 65-6834, 75-7c06 and 75-7c20.

13 (o) Exceptions contained in the following statutes as certified by the
14 revisor of statutes to the president of the senate and the speaker of the
15 house of representatives pursuant to subsection (e) that have been
16 reviewed during the 2019 legislative session are hereby continued in
17 existence: 21-2511(h)(2), 21-5905(a)(7), 22-2302(b) and (c), 22-2502(d)
18 and (e), 40-222(k)(7), 44-714(e), 45-221(a)(55), 46-1106(g) regarding 46-
19 1106(i), 65-2836(i), 65-2839a(c), 65-2842(d), 65-28a05(n), article 6(d) of
20 65-6230, 72-6314(a) and 74-7047(b).

21 (p) *Exceptions contained in the following statutes as certified by the*
22 *revisor of statutes to the president of the senate and the speaker of the*
23 *house of representatives pursuant to subsection (e) that have been*
24 *reviewed during the 2020 legislative session are hereby continued in*
25 *existence: 38-2310(c), 40-409(j)(2), 40-6007(a), 45-221(a)(52), 46-1129,*
26 *59-29a22(b)(10) and 65-6747.*

27 Sec. 4. K.S.A. 2018 Supp. 50-6,110, as amended by section 6 of
28 chapter 66 of the 2019 Session Laws of Kansas, is hereby amended to read
29 as follows: 50-6,110. (a) It shall be unlawful for any person to sell any
30 item or items of regulated scrap metal to a scrap metal dealer, or employee
31 or agent of a dealer, in this state unless such person meets the requirements
32 of this subsection.

33 (1) Such person shall present to such scrap metal dealer, or employee
34 or agent of such dealer, at or before the time of sale, the following: The
35 seller's name, address, sex, date of birth and the seller's driver's license,
36 military identification card, passport or personal identification license. An
37 official governmental document for a country other than the United States
38 may be used to meet this requirement.

39 (2) Such person shall complete and sign the statement provided for in
40 subsection (b)(10).

41 (b) Every scrap metal dealer shall keep a register in which the dealer,
42 or employee or agent of the dealer, shall, at the time of purchase or receipt
43 of any item for which such information is required to be presented, cross-

1 reference to previously received information, or accurately and legibly
2 record at the time of sale the following information:

3 (1) The time, date and place of transaction;

4 (2) the seller's name, address, sex, date of birth and:

5 (A) The identifying number from the seller's driver's license, military
6 identification card, passport or personal identification license; or

7 (B) the identifying number from the seller's official governmental
8 document for a country other than the United States;

9 (3) a copy of the identification card or document containing such
10 identifying number, unless the dealer has a copy of the card or document
11 in the dealer's register from a prior transaction;

12 (4) the license number, color and style or make of any motor vehicle
13 in which the junk vehicle or other regulated scrap metal property is
14 delivered in a purchase transaction;

15 (5) a general description, made in accordance with the custom of the
16 trade, of the predominant types of junk vehicle or other regulated scrap
17 metal property purchased in the transaction;

18 (6) the weight, quantity or volume, made in accordance with the
19 custom of the trade, of the regulated scrap metal property purchased;

20 (7) if a junk vehicle or vehicle part is being bought or sold, a
21 description of the junk vehicle or vehicle part, including the make, model,
22 color, vehicle identification number and serial number, if applicable;

23 (8) the price paid for, traded for or dealt for in a transaction for the
24 junk vehicle or other regulated scrap metal property;

25 (9) the full name of the individual acting on behalf of the regulated
26 scrap metal dealer in making the purchase; and

27 (10) a signed statement from the seller indicating from where the
28 property was obtained and that: (A) Each item is the seller's own personal
29 property, is free of encumbrances and is not stolen; or (B) the seller is
30 acting for the owner and has permission to sell each item. If the seller is
31 not the owner, such statement shall include the name and address of the
32 owner of the property.

33 (c) Every scrap metal dealer shall take one photograph of the item or
34 lot of items being sold ~~and one photograph of the vehicle in which the junk~~
35 ~~vehicle or other regulated scrap metal property is delivered~~ at the time of
36 purchase or receipt of any item for which such information is required to
37 be presented. Such photographs shall be kept with the record of the
38 transaction and the scrap metal dealer's register of information required by
39 subsection (b).

40 (d) The scrap metal dealer's register of information required by
41 subsection (b), including copies of identification cards and signed
42 statements by sellers, and photographs required by subsection (c) may be
43 kept in electronic format.

1 (e) Every scrap metal dealer shall forward information required by
2 the Kansas bureau of investigation for each transaction to the database
3 described in K.S.A. 2018 Supp. 50-6,109a, and amendments thereto, in the
4 manner prescribed by the bureau within 72 hours after the transaction
5 occurs. The Kansas bureau of investigation shall promulgate rules and
6 regulations providing which information and photographs required to be
7 collected by scrap metal dealers by subsections (b) and (c) shall be entered
8 into the database and prescribing the manner for submitting such
9 information and photographs to the bureau.

10 (f) Notwithstanding any other provision to the contrary, this section
11 shall not apply to transactions in which the seller is a:

- 12 (1) Registered scrap metal dealer;
- 13 (2) vehicle dealer licensed under chapter 8 of the Kansas Statutes
14 Annotated, and amendments thereto; or
- 15 (3) scrap metal dealer or vehicle dealer registered or licensed in
16 another state.

17 (g) (1) Except as provided in subsection (g)(2), this section shall not
18 apply to transactions in which the seller is known to the purchasing scrap
19 metal dealer to be a licensed business that operates out of a fixed business
20 location and that can reasonably be expected to generate regulated scrap
21 metal.

22 (2) The attorney general may determine, by rules and regulations,
23 which of the requirements of this section shall apply to transactions
24 described in subsection (g)(1).

25 Sec. 5. K.S.A. 2019 Supp. 50-6a11 is hereby amended to read as
26 follows: 50-6a11. (a) The director is authorized to disclose to the attorney
27 general any information received under this act, as requested by the
28 attorney general for purposes of determining compliance with or enforcing
29 the provisions of this act. The director and attorney general shall share
30 with each other information received under this act and the director and
31 the attorney general may share such information with federal agencies,
32 attorneys general of other states or directors of taxation or their equivalents
33 of other states, for purposes of enforcement of this act, the corresponding
34 federal laws or the corresponding laws of other states. The director and
35 attorney general may share the information specified under this subsection
36 with any of the following:

37 (1) Federal, state or local agencies for the purposes of enforcement of
38 corresponding laws of other states.

39 (2) A court, arbitrator, data clearinghouse or similar entity for the
40 purpose of assessing compliance with or making calculations required by
41 the master settlement agreement or agreements regarding disputes under
42 the master settlement agreement, and with counsel for the parties or expert
43 witnesses in any such proceeding, if the information otherwise remains

1 confidential.

2 (b) Except as otherwise provided, any information provided to the
 3 attorney general or director for purposes of enforcement of this act may be
 4 shared between the attorney general and the director and shall not be
 5 disclosed publicly by the attorney general or the director except when
 6 necessary to facilitate compliance with and enforcement of this act.

7 (c) On a quarterly basis, and upon request made in writing by a
 8 tobacco product manufacturer, the attorney general or the director may
 9 provide the name of any stamping agent who reports selling the tobacco
 10 product manufacturer's products.

11 (d) On a quarterly basis, and upon request made in writing by a
 12 tobacco product manufacturer, a stamping agent shall provide to the
 13 requesting tobacco product manufacturer the total number of cigarettes, by
 14 brand family, which the stamping agent reported to the attorney general or
 15 director pursuant to K.S.A. 2019 Supp. 50-6a10, and amendments thereto,
 16 provided that such information provided by the stamping agent to a
 17 tobacco product manufacturer shall be limited to the brand families of that
 18 manufacturer as listed in the directory established in K.S.A. 50-6a04(b),
 19 and amendments thereto.

20 (e) Unless disclosure is authorized under this section, all information
 21 obtained by the director and disclosed to the attorney general or shared
 22 with federal agencies, attorneys general of other states or directors of
 23 taxation or their equivalents of other states for purposes of enforcement of
 24 this act, the corresponding federal laws or the corresponding laws of other
 25 states, shall be confidential. The penalties provided under K.S.A. 75-5133,
 26 and amendments thereto, shall not apply when information is lawfully
 27 disclosed pursuant to this section.

28 (f) Any tobacco sales data provided to the director, attorney general
 29 or data clearinghouse for the purpose of assessing compliance with or
 30 making calculations required by the master settlement agreement or related
 31 agreements, shall be confidential. ~~The provisions of this subsection shall
 32 expire on July 1, 2020, unless the legislature reviews this provision
 33 pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2020.~~

34 Sec. 6. K.S.A. 2018 Supp. 50-6,110, as amended by section 6 of
 35 chapter 66 of the 2019 Session Laws of Kansas, and K.S.A. 2019 Supp. 9-
 36 1810, 40-223j, 45-229 and 50-6a11 are hereby repealed.

37 Sec. 7. This act shall take effect and be in force from and after its
 38 publication in the statute book.