

2
3 As Amended by House Committee

4 *Session of 2002*

5
6 **HOUSE BILL No. 2722**

7
8 By Committee on Financial Institutions

9
10 1-28

11
12 AN ACT concerning the secretary of social and rehabilitation services;
13 authorizing financial organizations to provide information relating to
14 applicants for or recipients of public assistance to certain persons.
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16 *Be it enacted by the Legislature of the State of Kansas:*

17 Section 1. When used in this act:

18 (a) "Secretary" means the secretary of social and rehabilitation
19 services.

20 (b) "Financial organization" means any bank, trust company, savings
21 bank, land bank, safe deposit company, savings and loan association, credit
22 union, investment company, any type of insurance company or other en-
23 tity paying interest income.

24 Sec. 2. (a) The secretary of social and rehabilitation services may re-
25 quest, in writing, that a financial organization inform the secretary of any
26 records which the financial organization may have which relate to deposit,
27 withdrawal and interest transactions of the financial organization with the
28 applicant for or recipient of public assistance under article 7 of chapter
29 39 of the Kansas Statutes Annotated, and amendments thereto, who is
30 named in the request or on a computer tape accompanying such request.
31 Upon receipt of the request, the financial organization may provide to
32 the secretary a copy of all such records for the five-year period or a lesser
33 time period as requested by the secretary which immediately precedes
34 the day of the receipt of the request. **[A reasonable fee may be charged**
35 **the secretary of social and rehabilitation services so long as the fee**
36 **does not exceed the actual cost of providing the information**
37 **requested.]**

38 (b) The financial organization may provide, upon written request, to
39 an officer of an agency administering any public assistance program in
40 any other state the same information the financial organization is per-
41 mitted to provide under subsection (a) if a similar financial organization
42 in such other state is required by statute in effect in the other state to
43 provide such information to the secretary of social and rehabilitation serv-

1 ices. A reasonable fee may be charged the requesting state so long as the
2 fee does not exceed the actual cost of providing the information
3 requested.

4 (c) By applying for or receiving assistance an applicant or recipient
5 shall be deemed to have authorized the secretary to obtain the records
6 set forth in subsection (a).

7 (d) A financial organization and its employees shall ~~be immune from~~
8 ~~civil liability to any account holder by reason of disclosure of information~~
9 ~~by the financial organization under the provisions of this act~~ **not be civilly**
10 **liable for damages to any account holder by reason of disclosure**
11 **of information by the financial organization that has been released**
12 **by the financial organization in good faith reliance on a written**
13 **request from the secretary pursuant to the provisions of this act.**
14 **The written request of the secretary shall include a written au-**
15 **thorization for release of the financial information signed by the**
16 **applicant or recipient of public assistance.**

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

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