

SESSION OF 2022

SUPPLEMENTAL NOTE ON SENATE BILL NO. 434
As Recommended by Senate Committee on
Judiciary

Brief*

SB 434 would amend law in the Kansas Open Records Act (KORA), as follows.

The bill would amend a statute in KORA governing procedures for obtaining access to public records to require requests for records that contain captured license plate data or that pertain to the location of an automated license plate recognition system (ALPRS) submitted to a state or local law enforcement agency or governmental agency be directed to the state or local law enforcement agency or governmental agency that owns, leases, or contracts for the ALPRS.

The bill also would add the above records to the statute governing records a public agency is not required to disclose and would define “automated license plate recognition system” and “captured license plate data” for the purposes of KORA.

Background

The bill was introduced by the Senate Committee on Judiciary at the request of a representative of the Kansas Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs' Association.

*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>

Senate Committee on Judiciary

In the Senate Committee hearing on February 9, 2022, the representative described above, and representatives of the League of Kansas Municipalities and the Wichita Police Department provided **proponent** testimony, stating a need to respect citizens' privacy interests while continuing to use ALPRS as an important law enforcement tool. Written-only proponent testimony was provided by a representative of the Kansas Highway Patrol. No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, the Department of Revenue and Kansas Highway Patrol indicate enactment of the bill would have no fiscal effect on the agencies, and the Office of Judicial Administration indicates enactment of the bill would have no fiscal effect on Judicial Branch operations. The League of Kansas Municipalities indicates enactment of the bill would have no fiscal effect on cities.

Public records; Kansas Open Records Act; automated license plate recognition system