

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT:

The Committee on **Federal and State Affairs** recommends **SB 10** be amended on page 1, following line 5, by inserting:

"New Section 1. (a) Record requests under the Kansas open records act that can be provided with less than one hour of staff time or less than 25 pages shall be provided at no charge. For requests that exceed one hour or 25 pages or require records to be mailed or faxed, the following rates shall apply: (1) \$.25 per page; (2) for mailed records, \$.50 for the first five pages, and \$.25 for additional five-page or less increments; and (3) \$.65 per 10-page or fewer faxes and \$.25 for additional five-page or less increments faxes.

(b) Staff time may be charged at the rate of pay for each person whose time is used in order to assist or respond to a specific request. This may include the time spent to access records maintained on computer facilities, to review records to determine whether closure exceptions apply and to redact open from closed information.

Attorney time may be charged at no more than \$60 per hour. Clerical time may be charged at no more than \$18 per hour. Information technology (IT) services may be charged at no more than \$38 per hour.

(c) Any other costs incurred by the public agency in connection with complying with a record request may be assessed to the requester. The public agency shall provide an estimate of the fees which shall be paid prior to such agency gathering the records. However, in order to assure payment, the final cost of providing access to or furnishing copies may be required to be paid before the records are provided. If the final cost is less than the estimate, the requester shall

be reimbursed for the difference.

(d) Records may be faxed if the request is for 15 pages or less and fax time and facilities are readily available. If records for air express delivery are requested, the requester shall arrange for pick-up and packaging of the records and all associated costs for such delivery shall be paid by the requester. The records custodian has sole discretion as to whether to honor requests for faxing or express delivery.

(e) This section shall be a part of and supplemental to the Kansas open records act.";

Also on page 1, in line 6, by striking "2012" and inserting "2013"; in line 31, by striking all after "records"; by striking all in lines 32 through 36;

On page 2, by striking all in lines 1 through 15; in line 16, by striking all before the period and inserting "in accordance with section 1, and amendments thereto"; by striking all in line 26; in line 27, by striking all before "remit"; in line 42, by striking "2012" and inserting "2013";

On page 3, by striking all in lines 5 and 6; in line 7, by striking "page" and inserting "as provided in section 1, and amendments thereto";

On page 4, in line 3, by striking "2012" and inserting "2013";

On page 5, in line 20, by striking "2012" and inserting "2013";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "2012" and inserting "2013"; and the bill be passed as amended.

Chairperson