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**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
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**MEMORANDUM**

To: House Judiciary Committee  
From: Office of Revisor of Statutes  
Date: February 17, 2021  
Subject: Bill Brief on HB 2292

HB 2292 creates exemptions in the open records act for cybersecurity assessments, plans and vulnerabilities.

Section 1 amends K.S.A. 45-217 to define new terms used in the open records act. “Cybersecurity assessment” is defined as an investigation undertaken by a person, governmental body or other entity to identify vulnerabilities in cybersecurity plans. “Cybersecurity plan” is defined as information about a person’s information systems, network security, encryption, network mapping, access control, passwords, authentication practices, computer hardware or software or response to cybersecurity incidents. Finally, “cybersecurity vulnerability” is defined as a deficiency within computer hardware or software, or within a computer network or information system, that could be exploited by unauthorized parties for use against an individual computer user or a computer network or information system.

Section 2 amends K.S.A. 45-221 to provide that a public agency shall not be required to disclose records of emergency or security information or procedures of a public agency, disclosure of which would jeopardize public safety, including records of cybersecurity plans, cybersecurity assessments and cybersecurity vulnerabilities or procedures related to cybersecurity plans, cybersecurity assessments and cybersecurity vulnerabilities.