



STATE OF KANSAS  
OFFICE OF THE ATTORNEY GENERAL

**DEREK SCHMIDT**  
ATTORNEY GENERAL

MEMORIAL HALL  
120 SW 10TH AVE., 2ND FLOOR  
TOPEKA, KS 66612-1597  
(785) 296-2215 • FAX (785) 296-6296  
[WWW.AG.KS.GOV](http://WWW.AG.KS.GOV)

**Neutral Testimony on House Bill 2495**

**Prohibiting the disclosure of personal information about a person's affiliation with an entity that is exempt from federal income taxation under section 501(c) of the federal internal revenue code**

**Presented to the House Committee on the Judiciary  
By Deputy Attorney General Frances R. Oleen, Consumer Protection Division**

**January 25, 2022**

Chairman Patton and Members of the Committee:

Thank you for the opportunity to submit this neutral testimony regarding House Bill 2495.

Attorney General Schmidt supports the effort to protect the privacy of group association, as was affirmed in the recent U.S. Supreme Court decision *Americans for Prosperity Foundation v. Bonta*. AG Schmidt joined an amicus brief supporting the plaintiffs in this case, and urged the court to reject California's "compelled, indiscriminate" collection and disclosure of donor information. This bill seeks to codify in Kansas laws such privacy protections.

However, the bill does contain some ambiguity and conflict with the Charitable Organizations and Solicitations Act (COSA), which is administered and enforced by the attorney general's Consumer Protection Division. That act requires most charitable organizations that solicit donations in Kansas to register with the OAG. K.S.A. 17-1763 contains a list of information the OAG is required to collect from a charity to register, some of which would be in conflict with the information that this act prohibits from being collected.

We are in communication with the proponents of this bill and seeking to find a way to amend the bill that is agreeable and preserves the OAG's ability to effectively administer and enforce COSA to protect Kansas consumers from unscrupulous and fraudulent charities.

Thank you for your consideration.

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