

State of Kansas
Kansas Bureau of Investigation

Notice of Hearing on Proposed Administrative Regulation

June 19, 2014

A public hearing will be conducted on Wednesday, August 20, 2014, at 9:00 a.m. in the auditorium at the Kansas Bureau of Investigation, 1620 SW Tyler, Topeka, Kansas, to consider adoption of a proposed rule and regulation of the Kansas Bureau of Investigation, on a permanent basis.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. Prior to the hearing, all interested parties may submit written comments to the Kansas Bureau of Investigation, 1620 SW Tyler, Topeka, Kansas 66612, or by email to Kelly.McPherron@kbi.state.ks.us. All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed regulation during the public hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Kelly McPherron at 785-296-8200, or the Kansas Relay Center at 1-800-766-3777. Handicapped parking is located on the south end of the KBI building, off of Tyler Street.

A summary of the proposed regulation and its economic impact follow. (Note: Statements indicating that a regulation is “not anticipated to have any economic impact” are intended to indicate that no economic impact on the Kansas Bureau of Investigation, other state agencies, state employees, or the general public has been identified.)

Copies of the proposed regulation and the Economic Impact Statement for the proposed regulation can be requested from: Kelly.McPherron@kbi.state.ks.us, or by writing to Kansas Bureau of Investigation, 1620 SW Tyler, Topeka, KS 66612 (attn: Kelly McPherron).

10-10-5. Electronic reporting by district courts.

This regulation currently requires district courts to electronically report all case filings and dispositions for violations of K.S.A. 8-1567 or K.S.A. 8-1025, and amendments thereto, to the central repository.

The proposed amendment to this regulation will require district courts to electronically submit case filings and dispositions for violations of additional statutes. Those statutes are as follows: K.S.A. 21-5426, K.S.A. 21-6419, K.S.A. 21-6420, K.S.A. 21-6421 and K.S.A. 21-6422.

This amendment is not anticipated to have any economic impact, as district courts are currently submitting filings and dispositions electronically to the central repository.

10-10-5. Electronic reporting by district courts. Each district court shall electronically report all case filings and dispositions for all violations of K.S.A. 8-1567, ~~or~~ K.S.A. 2013 Supp. 8-1025, K.S.A. 2013 Supp. 21-5426, K.S.A. 2013 Supp. 21-6419, K.S.A. 2013 Supp. 21-6420, K.S.A. 2013 Supp. 21-6421 or K.S.A. 2013 Supp. 21-6422, and amendments thereto, to the central repository. The case filings and dispositions shall be electronically submitted by a method approved by the director. (Authorized by and implementing K.S.A. ~~2012~~ 2013 Supp. 22-4704, as amended by ~~2013~~ 2014 HB ~~2041~~ 2501, sec. ~~3~~ 6; effective Aug. 23, 2013; amended, T-_____, _____; amended P-_____.)

**KANSAS BUREAU OF INVESTIGATION (KBI)
ECONOMIC IMPACT STATEMENT
K.A.R. 10-10-5**

I. Summary of Proposed Regulation, Including Its Purpose.

K.A.R. 10-10-5 is an existing regulation that requires district courts to electronically submit filings and dispositions for violations of K.S.A. 8-1567 or 8-1025, and amendments thereto, to the central repository. K.S.A. 22-4704(f), as amended by 2014 House Bill 2501, requires the KBI director to adopt rules and regulations requiring electronic submission of filings and dispositions for violations of five additional statutes: K.S.A. 21-5426, 21-6419, 21-6420, 21-6421 or 21-6422. The proposed amendments to K.A.R. 10-10-5 will include the addition of these statutes.

II. Reason or Reasons the Proposed Regulation is Required, Including Whether or Not the Regulation is Mandated by Federal Law.

The reason for the proposed regulation is to comply with 2014 amendments to K.S.A. 22-4704(f). The proposed regulation is not mandated by federal law, and therefore, does not exceed the requirements of federal law.

III. Anticipated Economic Impact upon the Kansas Bureau of Investigation.

Any economic impact on the KBI was taken into account with the Legislature's amendment to K.S.A. 22-4704 in 2011. The regulation itself will not cause additional economic impact.

IV. Anticipated Financial Impact upon Other Governmental Agencies and upon Private Business or Individuals.

The KBI does not anticipate economic impact on other governmental agencies or private businesses resulting from this regulation. Costs to district courts in submitting certain filings and

dispositions electronically were taken into consideration with the Legislature's 2011 amendment to K.S.A. 22-4704. District courts have been submitting information electronically to the central repository for approximately two years, and K.A.R. 10-10-5 will not impose any additional requirements on the courts beyond what statute requires.

V. Public Hearing

A public hearing will be held August 20, 2014, 9:00 a.m., at the Kansas Bureau of Investigation, 1620 SW Tyler, Topeka, Kansas.