

**State of Kansas**  
**Kansas Bureau of Investigation**

**Notice of Public Hearing on Proposed Administrative Regulations**

August 24, 2023

A public hearing will be conducted on Friday, October 27, 2023, at 9:00 a.m. in the Headquarters Main Conference Room at the Kansas Bureau of Investigation (KBI), 1620 SW Tyler, Topeka, Kansas, to consider the adoption of proposed rules and regulations of the Kansas Bureau of Investigation (KBI), 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 rules and regulations. All interested parties may submit written comments prior to the hearing to the Kansas Bureau of Investigation, 1620 SW Tyler, Topeka, Kansas 66612, or by email to [Bryan.Ross@kbi.ks.gov](mailto:Bryan.Ross@kbi.ks.gov). All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed regulations 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 an accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statement 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 Bryan Ross at 785-296-8200, (or TYY 1-800-766-3777). Handicapped parking is located on the south end of the KBI building, off of Tyler Street.

Summaries of the proposed regulations and their 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 KBI, other state agencies, state employees, or the general public has been identified.)

Copies of the proposed regulations and the Economic Impact Statement for the proposed regulations can be requested from [Bryan.Ross@kbi.ks.gov](mailto:Bryan.Ross@kbi.ks.gov), or by writing to Kansas Bureau of Investigation, 1620 SW Tyler, Topeka, KS 66612 (attn: Bryan Ross).

**K.A.R. 10-21-1 – Definitions.** The proposed amendment updates the definition of the following terms: “CODIS”; “DNA”; “DNA databank”; “DNA database”; “DNA record”; “DNA samples”; “FBI”; “KBI”; “Law enforcement”; and “NDIS.” The proposed amendment adds the following terms and definitions: “Buccal Sample”; “Director”; “Population statistic database”; and “Registered offender.” The proposed amendment eliminates the following terms and definitions: “Convicted offender”; and “Juvenile offender.” The definitions serve to assist in understanding the terms as used in Article 21 – Kansas Bureau of Investigation DNA Databank.

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**K.A.R. 10-21-3 – Procedural compatibility with the FBI.** The proposed amendment updates the FBI documents that the DNA database must be compatible with. The proposed amendment further updates and clarifies the creation and use of a separate population statistic database.

**K.A.R. 10-21-4 – Expungement.** The proposed amendment updates and clarifies the criteria to apply for expungement of DNA stored in the DNA databank and application process for DNA expungement.

**K.A.R. 10-21-5 – Maintenance.** The proposed amendment updates and clarifies the limits of access and use of DNA samples stored in the DNA databank. The proposed amendment further updates the KBI's obligations to maintain and store DNA records and samples.

**K.A.R. 10-21-6 – Collection of samples for DNA databank.** The proposed amendment updates and clarifies the procedure for law enforcement to collect samples of DNA from persons required to submit DNA samples for entry into the DNA database.

The proposed amendments to these regulations are not anticipated to have any economic impact.

Tony Mattivi  
Director  
Kansas Bureau of Investigation

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**10-21-1. Definitions.** As used in this article of the KBI's regulations, each of the following terms shall have the ~~meanings-meaning~~ specified ~~below in this regulation~~:

(a) "Buccal sample" means a biological sample obtained from a person's inner cheek and oral fluid.

(a) ~~(b)~~ "CODIS" (Combined DNA index system)-means combined DNA index system.  
CODIS is the federal bureau of investigation's (FBI) FBI's national DNA identification index  
system that allows the storage and exchange of DNA records submitted by state and local  
forensic DNA laboratories.

~~(b) "Convicted offender" means a person 18 years of age or older who commits an act that constitutes the commission of one of the crimes listed in K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto, and is convicted by a court.~~

(c) "DNA" means deoxyribonucleic acid. DNA is located in the nucleus of cells and provides an individual's personal genetic blueprint. DNA encodes genetic information that is the basis of human heredity and forensic identification.

(d) "Director" means director of the KBI.

~~(e)~~ (e) "DNA analysis" means the process through which DNA in a human biological specimen is analyzed and compared with DNA from another human biological specimen for identification purposes.

~~(e)~~ (f) "DNA databank" means the repository of DNA samples collected under the provisions of pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto.

~~(f)~~ (g) "DNA database" means the Kansas bureau of investigation's (KBI) KBI's DNA  
identification record system. It is administered by the KBI and provides DNA records to the FBI

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for storage and maintenance in CODIS. The KBI's DNA database system is computer software and procedures administered by the KBI, to store and maintain DNA records ~~regarding forensic casework, certain convicted offenders, and juvenile offenders~~ submitted pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto, and DNA records used for ~~research~~ identifying individuals or quality control.

~~(g)~~ (h) "DNA record" means DNA identification information stored in the ~~state~~ DNA database or CODIS. The DNA record is the result obtained from the DNA analysis tests. The DNA record is comprised of the characteristics of a DNA sample that are of value in establishing the identity of individuals. The DNA record shall not contain any of the personal information submitted to the KBI on any form prescribed by the director ~~of the KBI~~. The results of all DNA identification tests on an individual's DNA sample are also collectively referred to as the DNA profile of an individual.

~~(h)~~ (i) "DNA ~~samples~~ sample" means ~~one any~~ blood sample and ~~one saliva sample or buccal sample~~ provided by any convicted offender or juvenile offender submitted pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto, or submitted to the KBI laboratory for analysis pursuant to a criminal investigation.

~~(i)~~ (j) "FBI" means ~~the~~ federal bureau of investigation.

~~(j)~~ "Juvenile offender" means a person who meets the following criteria:

~~(1)~~ (1) Is 10 or more years of age, but less than 18 years of age;

~~(2)~~ (2) performs an act while a juvenile that, if done by an adult, would constitute the commission of one of the crimes listed in K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto; and

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~~(3) is adjudicated by a court.~~

(k) "KBI" means ~~the~~ Kansas bureau of investigation.

(l) "Law enforcement" means those law enforcement officers and agencies authorized to receive information under K.S.A. 21-2511~~(f)~~ or 22-4901 et seq., and amendments thereto.

(m) "NDIS" ~~(national DNA index system)~~ means national DNA index system. NDIS is the ~~federal bureau of investigation's (FBI)~~ FBI's centralized system of DNA identification records contributed by state and local forensic DNA laboratories.

(n) "Population statistic database" means a set of data from representative groups of individuals that is used to estimate the frequency of a particular DNA profile in a population.

(o) "Registered offender" means any person required to register as an offender pursuant to the Kansas offender registration act, K.S.A. 22-4901 et seq. and amendments thereto.

(Authorized by and implementing K.S.A. ~~2001-2022~~ Supp. 21-2511 and K.S.A. 2022 Supp. 22-4904; effective Dec. 22, 1995; amended April 19, 2002; amended P-\_\_\_\_\_.)

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**10-21-3. Procedural compatibility with the FBI.** (a) The DNA database as established by the FBI shall be compatible with the following documents, all of which are hereby adopted by reference:

(1) The FBI's "national DNA index system (NDIS): NDIS standards for acceptance of DNA data," dated January 2000 operational procedures manual," version 11, effective July 1, 2022, including the appendices, except for the following:

(A) Table of contents;

(B) introduction;

(C) all sections describing responsibilities of the NDIS Custodian, FBI's CODIS Unit, NDIS Audit Review Panel, NDIS Procedures Board, director of the FBI, and deputy assistant director of the FBI;

(D) section 4.3 "standards for acceptance of mitochondrial DNA records at NDIS," section 4.4 "standards for acceptance of next generation sequencing DNA records at NDIS," and section 4.6 "rapid DNA analysis systems."

(E) appendix C; and

(F) glossary.

(2) "quality assurance standards for forensic DNA testing laboratories," effective October 1998; and the FBI's "quality assurance standards for DNA databasing laboratories," effective July 1, 2020 and the FBI's "quality assurance standards audit for DNA databasing laboratories" in effect of July 1, 2020.

(3) "quality assurance standards for convicted offender DNA databasing laboratories," effective April 1999.

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(b) DNA samples shall be received by the KBI for storage and analysis. The DNA analysis may be conducted under contract with the KBI by a qualified DNA laboratory that meets KBI procedural guidelines.

(1) Each DNA record submitted pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto, shall be classified and filed by the KBI for the purposes specified in K.A.R. 10-21-2.

(2) The ~~DNA profile identity~~ of individuals in the ~~state DNA~~ database shall be made available to local, state, and federal law enforcement agencies, approved CODIS crime laboratories that serve ~~these agencies~~ law enforcement, and the county or district attorney's office in furtherance of ~~an official investigation of a criminal offense~~ investigation.

(3) ~~If the laboratory is a non-CODIS crime laboratory, the laboratory request shall be submitted in compliance with the procedures specified in the documents adopted in subsection (a).~~

(c) ~~A separate population database comprised of blood samples obtained pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto, shall be created by the KBI after all personal identification is removed.~~

(1) ~~The KBI's population databases may be shared with or disseminated to other law enforcement agencies, crime laboratories that serve them, and other third parties that the KBI deems necessary to assist the KBI with statistical analysis of the KBI's population database.~~

(2) ~~The population database may be made available to and searched by other agencies participating in the CODIS system.~~ A separate population statistic database that is comprised of DNA records from which all personal identifiers have been removed may be created by the KBI.

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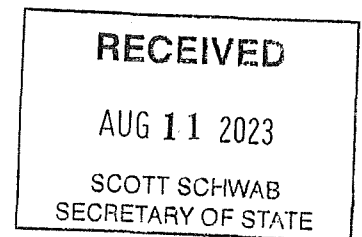
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This population statistic database may be made available to and searched by other approved  
CODIS crime laboratories or third parties that the KBI deems necessary to assist with analyses of  
the population statistic database. (Authorized by and implementing K.S.A. 2000-2022 Supp. 21-  
2511, ~~as amended by L. 2001, ch. 208, sec. 2~~ and K.S.A. 2022 Supp. 22-4904; effective Dec. 22,  
1995; amended April 19, 2002; amended P-\_\_\_\_\_.)



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**10-21-4. Expungement.** (a) Any person whose DNA record or profile has been included in the DNA database and whose DNA ~~samples~~ sample ~~are~~ is stored in the DNA databank may apply for expungement on any of the ~~following~~ grounds specified in K.S.A. 21-2511, and amendments thereto.

~~(1) The felony conviction that resulted in the inclusion of the person's DNA record or profile in the database or the inclusion of the person's DNA sample in the databank has been reversed or dismissed.~~

~~(2) The person has been acquitted on retrial.~~

~~(3) The person has been pardoned by the governor of the state of Kansas pursuant to article 1, section 7 of the constitution of the state of Kansas and any implementing legislation.~~

(b) The person, either individually or through an attorney, may make application to the KBI for expungement of the DNA record. The written application for expungement shall be on a form approved by the KBI and shall include the following information about the person:

- (1) Name;
- (2) date of birth;
- (3) sex;
- (4) race;
- (5) place of birth, including city and state;
- (6) district court case number and county; and
- (7) offense or offenses;
- (8) county of arrest, charge, or conviction; and
- (9) social security number.

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(c) The application shall be ~~forwarded~~ submitted to the KBI along with a certified copy of the final order of reversal, dismissal, acquittal, ~~or pardon, or expungement of arrest~~, which shall be attached to the application for expungement.

(d) When an application for expungement is submitted, the record contained in the state's DNA databank and DNA database shall be reviewed by the KBI to confirm the existence of the DNA record and the identity of the ~~contributor~~ person who submitted a DNA sample pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto. The DNA record and all other identifiable information shall be purged from the DNA database, and the DNA sample stored in the DNA databank shall be purged after the ~~contributor~~ person no longer meets the requirements to submit ~~blood and saliva~~ a DNA sample pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto.

(e) If the ~~individual~~ person has more than one offense that requires submission of ~~blood and saliva samples~~ a DNA sample to the state DNA database, DNA databank, and CODIS, if applicable, then only the offense covered by the expungement shall be expunged. The samples submitted shall be retained if additional offenses require retention pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto.

(f) If ~~an individual~~ a person has a record expunged, that ~~individual~~ person shall be treated as not having had a DNA record in the DNA database, DNA databank, or CODIS for that offense.

(g) Upon receiving information regarding a ~~contributor~~ person who submitted a DNA sample pursuant to K.S.A. 21-2511 or 22-4901 et seq. and amendments thereto, a DNA record

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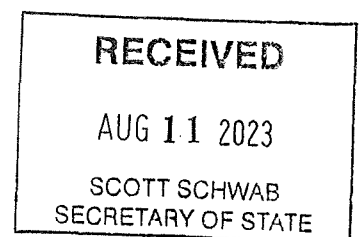
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may be expunged by the KBI on its own initiative according to this article of the KBI's regulations.

(h) ~~The Kansas department of corrections shall be notified by the KBI when the record of any inmate who has contributed DNA while housed with the department of corrections is expunged.~~ (Authorized by and implementing K.S.A. ~~2001-2022~~ Supp. 21-2511 and K.S.A. 2022 Supp. 22-4904; effective Dec. 22, 1995; amended April 19, 2002; amended P-  
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**10-21-5. Maintenance.** ~~(a) DNA records maintained at the KBI shall be treated as confidential as provided in K.S.A. 21-2511 and 22-4901 et seq., and amendments thereto.~~

~~(b) A criminal defendant's rights to access DNA testing information during the course of a criminal case shall be governed by existing rules of discovery of scientific evidence in criminal cases.~~

~~(e) (a) Access to blood and saliva DNA samples shall be limited only to forensic DNA analysis for profiles to be included in the DNA databank.~~

~~(d) (b) All DNA records and samples obtained by the KBI shall be maintained, preserved, and securely stored at by the KBI for not less than 10 years. (Authorized by and implementing K.S.A. 2000-2022 Supp. 21-2511, as amended by L. 2001, ch. 208, sec. 2 and K.S.A. 2022 Supp. 22-4904; effective Dec. 22, 1995; amended April 19, 2002; amended P-\_\_\_\_\_.)~~

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**10-21-6. Collection of samples for DNA databank ~~procedures~~.** (a) The collection, labeling, storage, handling, preservation, and shipment of ~~blood and saliva~~ DNA samples obtained from ~~convicted felons~~ persons required to submit a DNA sample pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto, for the DNA databank shall be in conformance with ~~a the~~ form manner prescribed by the director ~~of the KBI~~. Copies of the applicable protocol may be obtained from the KBI DNA-laboratory.

(b) Each ~~offender~~ person required to submit a DNA sample pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto, shall be positively identified using photo identification before taking the ~~blood and saliva~~ DNA samples sample.

(c) When the ~~offender~~ person required to submit a DNA sample pursuant to K.S.A. 21-2511 or 22-4901 et seq. and amendments thereto is positively identified, ~~one blood sample and one saliva~~ buccal sample shall be taken from the ~~offender person~~ in a reasonable manner according to generally accepted medical practices.

(d) ~~These~~ Each buccal samples sample shall be taken using only the DNA sample collection kit provided by the KBI.

(e)(1) The DNA information ~~sheet~~ form provided in the collection kit or generated from the remote-collection software shall be completed, providing all ~~relevant~~ information requested on the form.

(2) The ~~offender's~~ left and right thumbs of the person required to submit a DNA sample pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto, shall be imprinted by means of an inked impression in the spaces indicated on the form.

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(3) ~~The Each~~ person taking the ~~blood and saliva DNA samples sample~~ and ~~thumbprints~~ ~~one other witness~~ shall complete and sign, as indicated on the form, a verification that the ~~blood sample and saliva DNA sample were was~~ taken from the positively identified ~~offender person~~ required to submit a DNA sample pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto. ~~Additional supplies may be obtained from the KBI DNA laboratory.~~

(f) All buccal samples ~~so collected~~ shall be ~~transmitted within 72 hours of collection~~ submitted as soon as possible to the KBI in the manner prescribed in the DNA sample collection kit's instructions.

(g) Results from the DNA analysis made from ~~blood or saliva samples, or both,~~ buccal samples obtained from ~~convicted felons persons~~ required to submit a DNA sample under pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto, shall be entered into the DNA database ~~and CODIS.~~

(h) ~~Each convicted offender or juvenile offender placed on probation and required to provide blood and saliva samples shall provide the samples within 10 days after sentencing or disposition.~~ Each person required to submit a DNA sample pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto, shall submit the DNA sample upon arrest, charge, or placement in custody pursuant to K.S.A. 21-2511, and amendments thereto, or upon registration pursuant to K.S.A. 22-4901 et seq., and amendments thereto.

(1) ~~Court services officers or community corrections officers shall facilitate the collection of DNA samples.~~

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~~(2) The offender may have the DNA sample collection kit completed at any public health agency, clinic, hospital, or any other facility with persons qualified to draw blood as provided in K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto.~~

~~(i) Each convicted offender sentenced to the custody of the secretary of corrections and each juvenile offender placed in a youth residential facility or in a state youth center shall provide these samples upon arrival. The collection of DNA samples shall be facilitated by the department of corrections and SRS, as appropriate.~~

~~(j) (i) Each convicted offender or juvenile offender currently incarcerated and required to provide blood and saliva samples shall provide these samples before release, discharge, or parole. Law enforcement shall facilitate the collection of DNA samples. Each person required to submit a DNA sample pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto, shall have the DNA sample collection kit completed at a law enforcement agency.~~

~~(k) Each convicted offender or juvenile offender paroled and required to provide blood and saliva samples shall provide the samples within 10 days of being paroled.~~

~~(1) Parole officers shall facilitate the collection of DNA samples.~~

~~(2) The offender may have the DNA sample collection kit completed at any public health agency, clinic, hospital, or any other facility with persons qualified to draw blood as provided in K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto.~~

~~(l) Any convicted offender or juvenile offender placed on probation, parole, or community corrections or in SRS custody may have the blood sample collection kit completed at any public health agency, clinic, hospital, or any other facility with persons qualified to draw blood as provided in K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto.~~

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~~(m) Each convicted offender or juvenile offender sentenced or receiving a disposition to a term of incarceration in the county jail and required to provide blood and saliva samples shall provide these samples upon arrival.~~

~~(n) (i) When any convicted offender or juvenile offender is placed on probation, parole, or community corrections or in SRS custody~~ person is convicted or adjudicated, the cost or fee associated with collection of the DNA sample shall be paid by the ~~offender~~ person submitting the DNA sample pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto.

(Authorized by and implementing K.S.A. ~~2001-2022~~ Supp. 21-2511 and K.S.A. 2022 Supp. 22-4904; effective Dec. 22, 1995; amended April 19, 2002; amended P-\_\_\_\_\_.)

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## Kansas Administrative Regulations Economic Impact Statement (EIS)

Kansas Bureau of Investigation  
Agency

Bryan A. Ross  
Agency Contact

785-296-6782  
Contact Phone Number

10-21-1, 10-21-3, 10-21-4, 10-21-5, 10-21-6  
K.A.R. Number(s)

☒ Permanent    ☐ Temporary

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

- ☐ Yes    If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.
- ☒ No    If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024 (as calculated in Section III, F)?
- ☐ Yes    If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration, the Attorney General, AND the Division of the Budget. The regulation(s) and the EIS will require Budget approval.
- ☒ No    If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

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## Section I

Brief description of the proposed rule(s) and regulation(s).

The proposed regulations are authorized by K.S.A. 2022 Supp. 21-2511 and K.S.A. 2022 Supp. 22-4904, and relate to the KBI DNA Databank. The amendments being proposed consist mainly of updates to language, as the authorizing statutes have been amended several times since the regulations were last amended in 2002.

## Section II

Statement by the agency if the rule(s) and regulation(s) exceed the requirements of applicable federal law, and a statement if the approach chosen to address the policy issue(s) is different from that utilized by agencies of contiguous states or the federal government. *(If the approach is different or exceeds federal law, then include a statement of why the proposed Kansas rule and regulation is different.)*

Not applicable.

## Section III

Agency analysis specifically addressing the following:

- A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

These regulations will not enhance or restrict business activities and growth.

- B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule(s) and regulation(s) and on the state economy as a whole;

These regulations will not have an economic effect on businesses or local government, or on the state economy as a whole.

- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);

These regulations will not affect businesses.

- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

Benefits of the proposed regulations include bringing the language up to date for consistency with amendments made to authorizing statute, K.S.A. 2022 Supp. 21-2511. The statute's most recent amendments occurred in 2014; however, the regulations have not been amended since 2002. The KBI anticipates no costs associated with amending these regulations.

- E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

No such measures are necessary, as these regulations will not affect business and economic development.

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- F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or members of the public.

*Note: Do not account for any actual or estimated cost savings that may be realized.*

Costs to Affected Businesses – \$0

Costs to Local Governmental Units – \$0

Costs to Members of the Public – \$0

**Total Annual Costs – \$0**

(sum of above amounts)

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

Not applicable, as the cost estimate is \$0.

- ☐ Yes      If the total implementation and compliance costs exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024, and prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.
- ☐ No
- ☒ Not Applicable

If applicable, click here to enter public hearing information.

Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

Not applicable, as the implementation of these regulations will not change aggregate state revenues and expenditures.

Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

No dollar estimate can be provided because these regulations will have no economic impact on individuals, small employers, or the general public.

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of

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Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Not applicable. The proposed regulations will not increase or decrease revenues or impose functions or responsibilities on cities, counties, or school districts that will increase expenditures.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

The KBI has not consulted with or solicited information from other entities or agencies because the KBI does not anticipate any effects on such entities or agencies as a result of these updates.

## Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

- ☐ Yes If yes, complete the remainder of Section IV.  
☒ No If no, skip the remainder of Section IV.

- A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the persons who would bear the costs.

[Click here to enter agency response.](#)

- B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other persons who would bear the costs.

[Click here to enter agency response.](#)

- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons who would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).

[Click here to enter agency response.](#)

- D. Provide a detailed statement of the data and methodology used in estimating the costs used.

[Click here to enter agency response.](#)

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