AMERICAN OVERSIGHT

August 27, 2026

VIA U.S. MAIL

Kansas Department of Revenue
Record Requests
PO BOX 3506
Topeka, KS 66601-3506

Re: Kansas Open Records Act Request

Dear Records Custodian:

Pursuant to the Kansas Open Records Act (KORA), Kan. Stat. § 45-215 et seq., American Oversight makes the following request for records.

Requested Records

American Oversight requests that your office produce the following records within three business days:

> All email communications sent or received by any of the officials listed below, and/or anyone communicating on their behalf, such as an assistant, secretary, or chief of staff, and containing any of the key terms listed below.
>
> KDOR Officials:
> a. Mark Burghart, Secretary
> b. Ted Smith, Chief Counsel
> c. Deann Williams, Director, Division of Vehicles
> d. Kathleen Smith, Director, Office of Policy and Research
> e. Zachary Denney, Director, Communications & Legislative Affairs
>
> Key Terms:
> i. "Senate Bill 244"
> ii. "SB 244"
> iii. "SB244"
> iv. "gender marker"
> v. "gender identity"
> vi. "gender identification"
> vii. "sex identification"
> viii. "gender reclassification"
> ix. "gender designation"
> x. "assigned at birth"
> xi. "gender at birth"
> xii. "sex at birth"
> xiii. "biological sex"

xiv. transgender
xv. trans

Please note that American Oversight does not seek, and that this request specifically excludes, the initial mailing of news clips or other mass-distribution emails. However, subsequent communications responding to or forwarding such emails are responsive to this request. For example, if a specific individual received a mass-distribution news clip email containing the term "transgender", that initial email would not be responsive to this request. However, if that specific individual forwarded that email to another individual with their own commentary, that subsequent message would be responsive to this request and should be produced.

Please provide all responsive records from February 1, 2026, through the date the search is conducted.

Please notify American Oversight of any anticipated fees or costs in excess of $100 prior to incurring such costs or fee.

Guidance Regarding the Search & Processing of Requested Records

In connection with its request for records, American Oversight provides the following guidance regarding the scope of the records sought and the search and processing of records:

- Please search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics. For instance, if the request seeks "communications," please search all locations likely to contain communications, including relevant hard-copy files, correspondence files, appropriate locations on hard drives and shared drives, emails, and shared messages systems such as Slack.

- In conducting your search, please understand the terms "record," "document," and "information" in their broadest sense, to include any written, typed, or printed material of any kind. We seek records of any kind, including electronic records, letters, emails, facsimiles, and transcripts, notes, or minutes of any meetings, telephone conversations or discussions.

- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.

- Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages.

- In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If a request is denied in whole, please state specifically why it is not reasonable to segregate portions of the record for release.

- Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

Conclusion

American Oversight is a 501(c)(3) nonprofit with the mission to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and X (formerly Twitter).[1]

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not

[1] American Oversight currently has approximately 16,000 followers on Facebook and 94,100 followers on X (formerly Twitter). American Oversight, Facebook, https://www.facebook.com/weareoversight/ (last visited Aug. 27, 2026); American Oversight (@weareoversight), X (formerly Twitter), https://x.com/weareoversight (last visited Aug. 27, 2026).

understand any part of this request, please contact Loree Stark at records@americanoversight.org or (304) 913-6114.

Sincerely,

/s/ Loree Stark
Loree Stark
on behalf of
American Oversight