1. What is your state’s law on the use of CBD oil in products to be sold to the public, i.e. cosmetics, etc.?

In Kansas, it is legal to sell products containing CBD oil, but they cannot contain THC. In 2018, Kansas amended its Uniform Controlled Substances Act. Kan. Stat. Ann. § 65-41. Kansas’s amended Controlled Substances Act exempts cannabidiol (CBD) from the definition of “marijuana.” Id. While the amended Act legalizes access to CBD products, these products must contain zero percent THC.

2. Regarding privacy issues, has your state adopted its own version of GDPR or how is your state dealing with GDPR requirements? What other privacy laws has your state adopted recently in response to concerns about the lack of protections for consumers?

Kansas has not adopted its own version of GDPR. The most recent legislation passed in Kansas addressing data protection is the Protection of Consumer Information Act, which was enacted in 2006. Kan. Stat. Ann. § 50-7a01 et seq.

The Protection of Consumer Information Act defines a security breach as an “unauthorized access and acquisition of unencrypted or unredacted computerized data that compromises the security, confidentiality or integrity of personal information maintained by an individual or a commercial entity and that causes, or such individual or entity reasonably believes has caused or will cause, identity theft to any consumer.” Kan. Stat. Ann. § 50-7a01(h).

Pursuant to the Act, any person that conducts business in Kansas, or a government, governmental subdivision or agency that owns or licenses computerized data that includes personal information shall, when it becomes aware of any security breach, conduct a prompt investigation. Kan. Stat. Ann. § 50-7a02(a). If the investigation determines that the misuse of information has occurred or is reasonably likely to occur the person or entity needs to give notice immediately to the Kansas resident without unreasonable delay. Kan. Stat. Ann. § 50-7a02(b). The attorney general is empowered to bring an action in law or equity to address violations of the Act. Kan. Stat. Ann. § 50-7a02(g).