

February 26, 2025

The Honorable Mike Thompson, Chairperson
Senate Committee on Federal and State Affairs
300 SW 10th Avenue, Room 144-S
Topeka, Kansas 66612

Dear Senator Thompson:

SUBJECT: Fiscal Note for SB 254 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 254 is respectfully submitted to your committee.

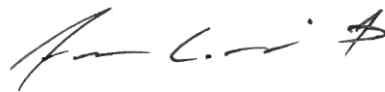
SB 254 would prohibit unauthorized immigrants from receiving state or local public benefits in Kansas, with some federal exceptions. Anyone over 18 applying for public benefits would be required to prove they are either a U.S. citizen, permanent resident, or lawfully present alien. State and local agencies would be required to verify an applicant's immigration status through the federal Systematic Alien Verification for Entitlements Program. The bill includes reduced college tuition rates as a public benefit that unauthorized immigrants could not receive, while excluding driver's licenses and identification cards from the definition of public benefits.

The bill would modify pretrial release procedures. The court would verify the immigration status of non-citizens with the federal government if they were charged with a crime. The bill would create a rebuttable presumption that unauthorized immigrants are flight risks when considering bail. The bill would include standard provisions about severability (if any part is found unconstitutional, the rest would remain valid).

The Office of Judicial Administration indicates that enactment of SB 254 could have a fiscal effect on expenditures of the Judicial Branch. The bill would require that courts verify immigration status with homeland security when determining and setting a bond. Nevertheless, until the courts have had an opportunity to operate under the provisions of SB 254, an accurate estimate of the fiscal effect on expenditures by the Judicial Branch cannot be given. The bill would not have a fiscal effect on revenues to the Judicial Branch or State General Fund.

According to the Kansas Department of Labor and the Kansas Department of Health and Environment, enactment of SB 254 would have no fiscal effect on either agency. The Department for Children and Families indicates that enactment of SB 254 would have a negligible fiscal effect on the agency. The Kansas Department for Aging and Disability Services (KDADS), indicates that enactment of SB 254 would not directly affect KDADS. The Medicaid members receiving services under the agency's oversight go through the Medicaid eligibility determination process which KDHE administers. Beneficiaries of other services funded by KDADS would process through providers or community partners such as Area Agencies on Aging, Aging & Disability Resource Centers, Community Mental Health Centers, and Community Developmental Disability Organizations. The Board of Regents indicates that enactment of SB 254 would have no fiscal effect on the Board. Any fiscal effect associated with SB 254 is not reflected in *The FY 2026 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt", followed by a stylized flourish or symbol.

Adam C. Proffitt
Director of the Budget

cc: Becky Pottebaum, Board of Regents
Kim Holter, Department for Children & Families
Amy Penrod, Department of Health & Environment
Leigh Keck, Department for Aging & Disability Services
Trisha Morrow, Judiciary
Dawn Palmberg, Department of Labor