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Kansas Action for Children
Written-only Opponent Testimony on SB 254
Senate Committee on Federal and State Affairs

Chairman Thompson and members of the Committee:

Thank you for the opportunity to provide testimony in opposition to SB 254, which would prohibit many Kansas families from receiving public benefits. It would also create a two-tiered legal system that erodes due process for undocumented Kansans who have been charged with, but not convicted of, a crime.

The language contained in this bill makes the full impact of this legislation unclear and raises questions about what programs would fall within the proposed prohibitions. Would elderly undocumented Kansans lose access to Meals on Wheels? Would soup kitchens have to turn people away? Would school lunches be impacted? Furthermore, this creates a requirement that services cannot be rendered without first verifying one's identification. This could create complications for food pantries that offer food resources without need for identification, or for homeless services organizations that work with folks who have lost their identification.

The bill also creates a rebuttable presumption that an undocumented person charged with a crime is a flight risk. This makes it unlikely for such Kansans to be eligible for bail, creating lengthy periods of pre-trial detention. This removal of parents from the home will destabilize households and cause traumatic experiences for their children.

Any child losing access to their parent creates an adverse childhood experience (ACE). While not all traumatic experiences can be avoided, limiting exposure to ACEs as much as possible will help provide children with better opportunities for emotional regulation and resiliency as they grow and learn. The harsh, unnecessary trauma potentially caused by this bill could contribute to these children's lifelong struggles with addiction, mental health issues, educational outcomes, chronic disease, and more. And these issues extend beyond the affected child; challenging behavior could cause disruptions to children around them, such as in the classroom.

Additionally, the increased periods of pre-trial detention would be an unfunded mandate for Kansas municipalities, requiring them to increase spending on jail services and staffing.

This bill would also block undocumented Kansans from receiving discounted in-state tuition. This is a misguided policy that would remove the incentive for talented youth to remain in Kansas, causing them to look at schools in other states and exacerbating our state's workforce shortage.¹ Those who are unable to afford the inflated tuition payments, in Kansas or elsewhere, will likely forego post-secondary

¹ Bureau of Labor Statistics. (2025). *Workforce Participation Data*.
<https://airtable.com/appgXwQK3bO2J1xmW/shreWVwHho8aByjHG/tblizBXEwAljlcfft/viwDkQanRPEdevu6t>

education, decreasing their lifetime earnings potential. Creating such a reality for hundreds of Kansans per year² will result in depressed regional economic impacts and ultimately **increase** reliance on public services.

We urge committee members to consider the negative impacts this legislation would have on Kansas kids, as well as on our state more generally. This would lead to reduced economic outcomes for families at scale, leaving cash-strapped communities across the state to figure out how to address increasing economic insecurity.

Thank you for the opportunity to provide testimony on this topic, and please do not hesitate to contact me at dustin@kac.org if you have additional questions.

About Kansas Action for Children

Kansas Action for Children is a nonprofit advocacy organization working to make Kansas a place where every child has the opportunity to grow up healthy and thrive. We work across the political spectrum to improve the lives of Kansas children through bipartisan advocacy, partnership, and information-sharing on key issues, including early learning and education, health, and economic security for families.

² Kansas Board of Regents. (2023). *Student Headcount Enrolled under Provisions of K.S.A. 76-731a*. https://www.kslegislature.gov/li_2024/b2023_24/committees/ctte_leg_budget_1/documents/testimony/20231214_18.pdf