



February 3, 2025

The Honorable Sean Tarwater, Chairperson
 House Committee on Commerce, Labor and Economic Development
 300 SW 10th Avenue, Room 346-S
 Topeka, Kansas 66612

Dear Representative Tarwater:

SUBJECT: Fiscal Note for HB 2118 by House Committee on Commerce, Labor and Economic Development

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2118 is respectfully submitted to your committee.

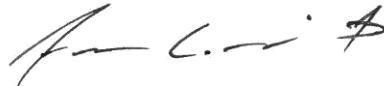
HB 2118 would amend the Consumer Protection Act by requiring any person who solicits a fee for filing or retrieving copies of certain documents from the federal government, state, or local government to give certain notices to consumers. The bill also lists information that would be required in the solicitation. The bill would define the terms “solicit” and “solicitation” as directly advertising to a person. “Solicit” and “solicitation” would not include communication initiated by a consumer or advertising or marketing to a consumer with whom the solicitor has a current or former commercial relationship. Violation of this requirement would be considered a deceptive act or practice subject to penalties under the Act.

Estimated State Fiscal Effect			
	FY 2025	FY 2026	FY 2027
Expenditures			
State General Fund	--	\$78,075	\$78,075
Fee Fund(s)	--	--	--
Federal Fund	--	--	--
Total Expenditures	--	\$78,075	\$78,075
Revenues			
State General Fund	--	--	--
Fee Fund(s)	--	--	--
Federal Fund	--	--	--
Total Revenues	--	--	--
FTE Positions	--	1.00	1.00

The Office of the Attorney General indicates that it would perform investigative work for the new consumer complaints that could be filed in relation to violations of the provisions of HB 2118. The Office would require \$78,075 from the State General Fund for salary and wages expenditures for 1.0 Investigator position beginning in FY 2026. If a penalty is assessed, any additional revenues would be deposited into the State General Fund; however, the Office estimates any increase would be negligible.

The Kansas Judicial Branch indicates HB 2118 could increase the number of cases filed in the district courts because it creates a violation that is considered a deceptive act or practice under the Kansas Consumer Protection Act. These provisions of the bill would increase time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. The enactment of the bill could increase the collection of docket fees, fines, and supervision fees that would be deposited into the State General Fund. The agency indicates that it is unable to estimate a fiscal effect. Any fiscal effect associated with HB 2118 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: Sandy Tompkins, Office of the Secretary of State
Matt Bingesser, Office of the Attorney General