

February 18, 2026

The Honorable Adam Turk, Chairperson
House Committee on Higher Education Budget
300 SW 10th Avenue, Room 281-N
Topeka, Kansas 66612

Dear Representative Turk:

SUBJECT: Fiscal Note for HB 2472 by House Committee on Higher Education Budget

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2472 is respectfully submitted to your committee.

HB 2472 would enact the Forming Open and Robust University Minds (FORUM) Act. The Act would specify that all outdoor areas of campus would be deemed public forums. No institution could restrict expression to designated free speech zones. An institution may enforce time, place, and manner restrictions only if the restrictions are: (1) narrowly tailored to serve a compelling interest; (2) are content-neutral and view-point neutral; (3) are published and clearly defined; and (4) provide ample alternative means of expression. Individuals may engage in lawful, noncommercial expressive activity in outdoor areas of campus without prior approval if the person's conduct is lawful and does not materially or substantially disrupt campus operations.

An institution may not:

1. Require permits solely based on a speaker's affiliation;
2. Impose an advance notice requirement for spontaneous assemblies;
3. Prioritize affiliated over nonaffiliated speakers; or
4. Use policies that function as de facto censorship.

Postsecondary educational institutions would be prohibited from denying benefits to student organizations based on the organization's mission or beliefs, standards for leadership or membership, or adherence to organizational values. The bill would require institutions to publish all speech-related policies online and in student handbooks. Also, institutions would have to provide training on the bill's provisions to faculty, staff, and campus law enforcement. Institutions

would be required to submit a report annually to the Legislature and the Governor with information outlined in the bill.

Individuals or student organizations aggrieved under the bill's provisions could file an action in district court of the county where the postsecondary educational institution's primary campus is located. If the district court finds that a institution has violated the bill's provisions, the court would enter an order to require the institution to comply with the Act's provisions; impose monetary damages of not more than \$5,000 for each violation; and require the institution to pay the attorney fees and court costs incurred in enforcing the violation if the court finds that the institution's violation was not made in good faith and was made without a reasonable basis in fact or law. The statute of limitations for claims under the Act would be one year from the date of the violation. The limitations period would renew each day that an unconstitutional policy remains in effect. The bill specifies that the Act's protections would apply whether the expression originates on or off campus if the expression does not violate current law. The bill outlines other prohibitions for postsecondary educational institutions.

The Office of Judicial Administration states the bill's enactment could increase the number of cases filed in district court because the bill would create a civil cause of action, which would increase the time spent by judges and court employees processing and deciding cases. According to the Office, the bill's enactment could result in the collection of docket fees in those cases filed under its provisions, which would be credited to the State General Fund. The Office indicates a fiscal effect cannot be estimated. The Office of the Attorney General indicates any litigation assigned to the agency could be absorbed within existing resources.

Fort Hays State University estimates the enactment of the bill would require additional State General Fund expenditures of \$2,500 in FY 2027 and \$500 in FY 2028. For the FY 2027 amount, \$2,000 would be one-time costs for training, policy updates, and annual reporting. The remaining \$500 would be for other operating expenditures to comply with the bill's provisions and would be ongoing.

Emporia State University (ESU) indicates there would be a one-time review to update existing polices, coordinating training, and establishing an internal process to collect information for the reporting requirements. Ongoing work would include training and collecting information for the report. ESU indicates the one-time and ongoing costs could be absorbed within existing resources; however, ESU indicates it cannot estimate a fiscal effect for any potential litigation

Pittsburg State University estimates additional State General Fund expenditures of \$85,000 in both FY 2027 and FY 2028, along with an additional FTE Compliance Manager position if the bill is enacted. The additional funding would be for salaries and wages (including fringe benefits) to comply with the bill's provisions.

Kansas State University estimates additional State General Fund expenditures of \$135,000 in FY 2027 and \$64,000 in FY 2028 if the bill is enacted. Of the FY 2027 amount, the entire amount would be for one-time costs, including \$80,000 for policy review and updates, \$20,000 for event management contingences, \$15,000 for training development, \$15,000 for reporting system maintenance, and \$5,000 for updates to websites and handbooks. For FY 2028, \$64,000 would be for ongoing expenditures, including \$8,000 for training, \$30,000 to compile information for annual

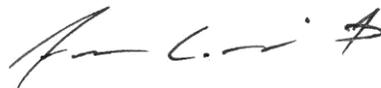
reporting to the Governor and Legislature, \$6,000 for system maintenance, and \$20,000 for event management contingencies.

Both the University of Kansas and the University of Kansas Medical Center each estimate additional expenditures between \$350,000 and \$626,000 in FY 2027 and \$350,000 and \$600,000 in FY 2028 if the bill is enacted. Of the FY 2027 amount, \$26,000 would be for a one-time expenditure to create a training module. The remaining \$600,000 would be ongoing expenditures, including \$250,000 for litigation costs, \$168,000 for an additional 2.00 FTE Campus Police Officer positions, \$172,000 for all employees to take an online training course, and \$10,000 for current staff time to manage the bill's requirements. The Division of the Budget notes that any additional funding for litigation costs would only be needed if there is a complaint filed against an institution or other legal action concerning the bill's provisions.

Wichita State University estimates additional State General Fund expenditures of between \$13,790 and \$22,420 in FY 2027 and \$8,890 and \$15,220 in FY 2028 resulting from the bill's enactment. Of the FY 2027 amount, between \$4,900 and \$7,200 would be for one-time expenditures for current staff for compliance and policy updates, training, reporting, and legal review. Ongoing expenditures would total between \$8,890 and \$15,220 for current staff to comply with the bill's provisions.

The Board of Regents states enactment of the bill would have a negligible fiscal effect on agency operations and the postsecondary education system. Any fiscal effect associated with HB 2472 is not reflected in *The FY 2027 Governor's Budget Report*.

Sincerely,



Adam C. Proffitt
Director of the Budget

cc: Becky Pottebaum, Board of Regents
Jeff Dewitt, University of Kansas
Gail Gottlieb, KU Medical Center
Stephanie McDowell, Kansas State University
Lyndsay Pletcher, Wichita State University
Douglas Ball, Pittsburg State University
Angela Wolgram, Emporia State University
Wesley Wintch, Fort Hays State University
Trisha Morrow, Judiciary
Matt Bingesser, Office of the Attorney General