



March 19, 2026

The Honorable Susan Humphries, Chairperson
House Committee on Judiciary
300 SW 10th Avenue, Room 582-N
Topeka, Kansas 66612

Dear Representative Humphries:

SUBJECT: Fiscal Note for HB 2746 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2746 is respectfully submitted to your committee.

HB 2746 would specify that notwithstanding any other provision of law, an award of tenure to a faculty member by an institution would not create a right or property interest in continued employment with an institution. The bill would define “faculty member,” “institution,” “and “tenure.” The bill’s provisions would apply to any award of tenure to a faculty member by an institution prior to, on, or after the effective date of the bill. HB 2746 would take effect upon its publication in the *Kansas Register*.

The Board of Regents states by specifying that tenure does not create a right or property interest in continued employment, enactment of the bill may reduce potential long-term legal costs associated with faculty employment disputes, grievance procedures, or litigation resulting in possible savings.

The Board indicates enactment of the bill could have an effect on faculty recruitment and retention at institutions. According to the Board, by eliminating legal protections traditionally associated with tenure may make Kansas institutions less competitive when recruiting faculty, particularly in high-demand or research-intensive disciplines. This could result in increased recruitment costs, longer vacancy periods, or the need to offer higher salaries or alternative incentives to attract qualified candidates. The Board did not estimate a fiscal effect.

Fort Hays State University (FHSU) states the bill's enactment would make it less competitive when recruiting and retaining faculty, having to offer higher salaries to hire faculty, and possible legal challenges regarding tenure. FHSU did not estimate a fiscal effect.

Emporia State University (ESU) states enactment of the bill would require the University to review and make potential updates to policies, employment/tenure language, and related procedures. ESU indicates it would be more difficult to recruit and retain faculty, possibly having to offer higher compensation for faculty, and there could be increased legal expenses because of litigation risks. ESU also notes that since implementing tenured faculty reductions under the Board's workforce management policy, the University has incurred approximately \$1.8 million in related legal costs and ongoing salary expenses associated with the termination of certain tenured faculty appointments. ESU did not estimate a fiscal effect.

Pittsburg State University (PSU) estimates the bill's enactment would make PSU less competitive when recruiting and retaining faculty, which would result in higher salaries necessary to attract qualified faculty or result in hiring less qualified faculty. According to PSU, either scenario would have a fiscal effect on the University by making it more difficult to attract and retain students, reducing tuition revenues, and lower quality research and community engagement projects. PSU did not estimate a fiscal effect.

Kansas State University (KSU) indicates eliminating or weakening tenure would increase faculty attrition, reduce research capacity, increase the risk of lost external research funding, reduce industry investment, and affect KSU's ability to recruit students. KSU did not estimate a fiscal effect.

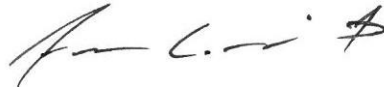
Both the University of Kansas (KU) and the University of Kansas Medical Center (KUMC) indicate enactment of the bill would affect operations on multiple fronts, including making both institutions less competitive when recruiting and retaining faculty, putting its Big 12 Conference membership in jeopardy, and risking the Medical Center's establishment as a National Cancer Institute designation. KU estimates it would see reductions in revenues from various sources, including federal and other sponsored research revenue, tuition, fees, housing, dining, and athletic sources, if the bill is enacted. Neither KU nor KUMC estimated a fiscal effect.

Wichita State University (WSU) indicates enactment of HB 2746 would make the University less competitive when recruiting and retaining faculty members. An increase in faculty turnover could result in a loss of research and regional expertise. Additionally, WSU states enactment of the bill could increase the University's risk to legal action. WSU did not estimate a fiscal effect.

The Office of the Attorney General States the bill's enactment could lead to possible litigation; however, the agency is not able to estimate any cost for any possible litigation. The

Office of Judicial Administration states the bill's enactment would not have a fiscal effect. Any fiscal effect associated with HB 2746 is not reflected in *The FY 2027 Governor's Budget Report*.

Sincerely,

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

Adam C. Proffitt
Director of the Budget

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