

February 19, 2025

The Honorable Kellie Warren, Chairperson  
Senate Committee on Judiciary  
300 SW 10th Avenue, Room 346-S  
Topeka, Kansas 66612

Dear Senator Warren:

**SUBJECT:** Fiscal Note for SB 141 by Senator Holscher

In accordance with KSA 75-3715a, the following fiscal note concerning SB 141 is respectfully submitted to your committee.

SB 141 would enact the Right to Speak Your Truth Act. The bill specifies that a person who is the subject of a reported accusation of sexual misconduct, sexual abuse, sexual assault, or sexual harassment could not file a defamation action related to the reported accusation unless the evidence establishes that:

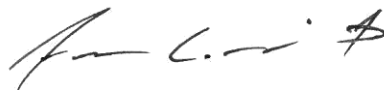
1. The action is based on a claim that it is impossible for the person who is the subject of the accusation to have committed the act giving rise to the reported accusation;
2. The person making the accusation has been impeached in a court proceeding related to the same facts giving rise to the reported accusation;
3. The person making the accusation has publicly made contradictory statements involving relevant and marital facts related to the reported accusation; or
4. The person making the accusation has publicly stated that the sexual misconduct, sexual abuse, sexual assault, or sexual harassment reported did not occur.

The bill's provisions would only apply when the accusation of sexual misconduct, sexual abuse, sexual assault, or sexual harassment has been reported, including reports and disclosures made to law enforcement, human resources departments, or media outlets or reports made on social medial platforms.

The Office of the Attorney General states the bill could be subject to a litigation because of a potential conflict under the First Amendment. The agency estimates additional State General Fund expenditures of approximately \$500,000 to defend the law in court in both FY 2026 and FY 2027. The Office of Judicial Administration states enactment of the bill would have a negligible fiscal effect on the operations of the Judicial Branch. Any fiscal effect associated with SB 141 is not reflected in *The FY 2026 Governor's Budget Report*.

The League of Kansas Municipalities states that enactment of the bill would require cities and municipal courts to develop and implement new procedures related to defamation, which would require additional time and training for city officials. The League is unable to estimate a fiscal effect. The Kansas Association of Counties does not have enough information to estimate a fiscal for Kansas counties, if the bill is enacted.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt", with a stylized flourish at the end.

Adam C. Proffitt  
Director of the Budget

cc: Trisha Morrow, Judiciary  
Matt Bingesser, Office of the Attorney General  
Wendi Stark, League of Kansas Municipalities  
Jay Hall, Kansas Association of Counties  
Samir Arif, Department of Administration