

March 3, 2026

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 469 by Senator Holscher

In accordance with KSA 75-3715a, the following fiscal note concerning SB 469 is respectfully submitted to your committee.

SB 469 would enact the Safe and Transparent Arrest Act. The bill would require all law enforcement agencies operating in Kansas to adopt and publicly post a written policy regarding the use of facial coverings by July 1, 2026. The policy would be required to include a purpose statement affirming the agency's commitment to transparency, accountability, and public trust, as well as a requirement restricting the use of facial coverings to specific, limited circumstances, including active undercover operations, tactical operations requiring protective gear, compliance with occupational health and safety laws, protection of identity during prosecution, and compliance with reasonable accommodation laws. The policy would also be required to provide that facial coverings may be used only when no other reasonable alternative exists and the necessity is documented, and that generalized concerns about officer safety would not be sufficient to justify the use of facial coverings.

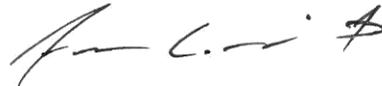
The bill would make it unlawful for a law enforcement officer to knowingly wear a facial covering that conceals or obscures the officer's facial identity while performing duties, except in accordance with an agency's written policy. The bill defines "facial covering" to include any opaque mask, garment, helmet, headgear, or other item that conceals an individual's facial identity, with exceptions for translucent face shields, medical masks, respirators, motorcycle helmets, and protective eyewear. A violation would be a class A nonperson misdemeanor. Additionally, any officer found to have committed certain tortious conduct while wearing a facial covering in violation of the Act would not be entitled to assert any privilege or immunity and would be liable for actual damages or statutory damages of at least \$10,000, whichever is greater. The bill would

also allow members of the public, oversight bodies, or local governing authorities to submit a written challenge to an agency's policy if the policy is alleged to be inconsistent with the requirements of the Act. The bill would become effective upon publication in the *Kansas Register*.

The Commission on Peace Officers Standards and Training, the Department of Corrections, and the Highway Patrol indicate that enactment of SB 469 would have no fiscal effect on state expenditures or revenues.

The Kansas Association of Counties indicates that enactment of the bill would increase county government expenditures to develop the policies required under the Act; however, a specific fiscal effect cannot be estimated. The League of Kansas Municipalities indicates that enactment of the bill would increase expenditures for city governments, as municipalities and their law enforcement agencies would be required to adopt and implement new policies and procedures; however, a specific fiscal effect cannot be estimated.

Sincerely,



Adam C. Proffitt  
Director of the Budget

cc: Sherry Macke, Kansas Highway Patrol  
Paul Weisgerber, Kansas Bureau of Investigation  
Mike Brown, Peace Officers Standards & Training  
Jamie Rodvelt, Office of the State Fire Marshal  
Jennifer King, Department of Corrections  
Bruce Chladny, Kansas Association of Counties  
Wendi Stark, League of Kansas Municipalities