

February 7, 2025

The Honorable Renee Erickson, Chairperson
Senate Committee on Education
300 SW 10th Avenue, Room 144-S
Topeka, Kansas 66612

Dear Senator Erickson:

SUBJECT: Fiscal Note for SB 76 by Senate Committee on Education

In accordance with KSA 75-3715a, the following fiscal note concerning SB 76 is respectfully submitted to your committee.

SB 76 would enact the Given Name Act. The Act would specify that no employee of a school district or postsecondary educational institution, regardless of the employee's official duties, could address a minor or student with a: (1) pronoun or title that is inconsistent with the biological sex of the minor or student unless the employee has written permission from a parent and (2) name other than the name listed on the minor or student's birth certificate, or a derivative of the name, without the written permission from a parent.

No employee of a school district or postsecondary educational institution would be subject to an adverse employment action for declining to address an individual using a name other than the name listed on the individual's birth certificate or a pronoun or title that is inconstant with the individual's biological sex. No student would be subject to any disciplinary action for declining to address an individual using a name other than the name listed on the individual's birth certificate or a pronoun or title that is inconsistent with the individual's biological sex. Any individual who is harmed by a violation could bring a cause of action for injunctive relief, monetary damages, reasonable attorney fees, and any other appropriate relief.

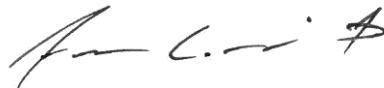
The Kansas Department of Education states enactment of the bill would not have a fiscal effect on agency operations. However, the Department notes the potential for a cause of action regarding injunctive relief, monetary damages, reasonable attorney fees, or other relief could have a fiscal effect on local school districts; however, the Department is unable to estimate what that fiscal effect would be. The Board of Regents states enactment of the bill would not have a fiscal

effect on the Board or the state universities, technical colleges, community colleges, and Washburn University.

The Office of Judicial Administration indicates enactment of SB 76 could increase the number of cases filed in district court because the bill would create a civil cause of action, which could result in more time spent by court employees and judges processing and deciding cases. The Office indicates enactment of the bill could result in the collection of fees assessed in those cases filed under the bill's provisions, which would be credited to the State General Fund. However, a fiscal effect cannot be estimated. Any fiscal effect associated with SB 76 is not reflected in *The FY 2026 Governor's Budget Report*.

The Kansas Association of School Boards states the bill's enactment could have a long-term fiscal effect for school districts, community colleges, technical colleges, and other postsecondary educational institutions, primarily from legal fees, investigations, and dealing with Title IX complaints.

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: Angie Stallbaumer, Kansas Association of School Boards
Gabrielle Hull, Department of Education
Becky Pottebaum, Board of Regents
Trisha Morrow, Judiciary