

SESSION OF 2025

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 166**

As Amended by Senate Committee on  
Commerce

**Brief\***

SB 166, as amended, would create the Fostering Competitive Career Opportunities Act, which would prohibit state employers from making hiring decisions based solely on an applicant's lack of a postsecondary degree. The bill would not apply to positions for which a postsecondary degree is justifiably necessary.

For purposes of the bill, the bill would exclude employers in the Legislative or Judicial branches of government from the definition of "state employer." The provisions would not apply to any position that is filled by political appointment.

***Job Posting Requirements***

The bill would require state employers to determine baseline requirements for applicants for each job posting. These requirements could include prior direct experience, specific certifications, specific courses of instruction, or postsecondary degree requirements, provided the state employer demonstrates such degree is necessary for the position. State agencies would be prohibited from imposing any additional requirements on applicants in all hiring considerations.

Each job posting would be required to include any tests, training, apprenticeships, or other forms of assessment that

---

\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

may show the applicant is competent for the position. The bill would require a job posting requiring a postsecondary degree to include substantiating information for the necessity of such degree.

### ***Direct Experience Consideration***

If direct experience is considered in lieu of a postsecondary degree, the years of experience required could not be more than:

- 2 years for an associate's degree;
- 4 years for a bachelor's degree;
- 6 years for a master's degree;
- 7 years for a professional degree; or
- 9 years for a doctoral degree.

### ***Solicitation for Goods or Services***

The bill would prohibit minimum experience or postsecondary educational attainment for any contractor personnel as a prerequisite for the awarding of a contract for any goods or services unless the state employer includes substantiation for such requirements in the request for proposal or solicitation.

### **Background**

The bill was introduced by the Senate Committee on Commerce at the request of a representative of Cicero Action.

### ***Senate Committee on Commerce***

In the Senate Committee hearing, a representative of Cicero Action offered **proponent** testimony, generally stating

that removal of postsecondary degree requirements will improve retention and expand employment opportunities in the public sector to more qualified workers.

No other testimony was provided.

The Senate Committee amended the bill to remove provisions allowing applicants to appeal hiring decisions to the civil service board and requiring corrective actions to be taken if an employer would be found to be in violation of the Act.

### **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, the Office of Judicial Administration (OJA) indicates enactment of the bill could increase time spent by court employees and judges to process and decide cases. OJA also indicated enactment of the bill could increase collection of fees that would be credited to the State General Fund. However, OJA cannot estimate a fiscal effect on the agency.

The Department of Administration, Office of Administrative Hearings, and Board of Regents indicate enactment of the bill would have a negligible fiscal effect.

The Kansas Department of Transportation, Office of the Attorney General, Department of Health and Environment, Department for Aging and Disability Services, and the Department for Children and Families indicate enactment of the bill would have no fiscal effect on the agencies.

Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2026 Governor's Budget Report*.

Employment; state agencies; hiring considerations; postsecondary degrees