

March 11, 2011

The Honorable Pete Brungardt, Chairperson
Senate Committee on Federal and State Affairs
Statehouse, Room 136-E
Topeka, Kansas 66612

Dear Senator Brungardt:

SUBJECT: Fiscal Note for SB 223 by Senate Committee on Ways and Means

In accordance with KSA 75-3715a, the following fiscal note concerning SB 223 is respectfully submitted to your committee.

SB 223 would incorporate amendments made in 2008 to the federal Americans with Disabilities Act regarding accessibility standards for public facilities into state law.

The Department of Administration states that SB 223 would not have a fiscal effect insofar as it would not require remodeling of existing buildings. However, should the state construct a new building or remodel an existing building, the state would be required to comply with the ADA Amendments Act of 2008. It is not known whether the costs of the construction or remodel would be higher or lower under these requirements. The League of Kansas Municipalities indicates that the 2008 amendments to the federal ADA law are applicable to cities without being included in state law. Therefore, while these changes have the potential to have a fiscal effect on cities, the fiscal effect relates to the federal legislation and not to the proposed state action. Any fiscal effect associated with SB 223 is not reflected in *The FY 2012 Governor's Budget Report*.

Sincerely,



Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Pat Higgins, Administration
Melissa Wangemann, KS Association of Counties
Larry Baer, League of KS Municipalities