

February 13, 2013

The Honorable Steve Abrams, Chairperson
Senate Committee on Education
Statehouse, Room 224-E
Topeka, Kansas 66612

Dear Senator Abrams:

SUBJECT: Fiscal Note for SB 104 by Senator Abrams

In accordance with KSA 75-3715a, the following fiscal note concerning SB 104 is respectfully submitted to your committee.

SB 104 would create the Kansas Children's Internet Protection Act. The Act would require school districts and public libraries that provide public access to computers to implement and enforce technology protection measures to prohibit any person from accessing visual depictions that are child pornography or obscene and prohibit minors from accessing visual depictions that might be harmful to them. The bill would permit these limitations to be disabled under certain sets of circumstances. The State Librarian of Kansas would be required to establish standards, rules and regulations for the enforcement of the provisions of this Act, and the governing body of each public library must adopt a policy to implement and enforce those standards, rules and regulations.

According to the State Library of Kansas, passage of SB 104 would require additional expenditures of \$518,322 from the State General Fund in FY 2014. This estimate assumes that the State Library would add 1.00 Librarian II FTE position to oversee the implementation of the Act in public libraries and provide ongoing oversight and support of the project. For FY 2014, the State Library estimates the costs associated with this position would total \$60,249, which includes approximately \$56,259 for salary and wages, \$1,832 for travel, \$858 for telecommunications and Internet expenses, and one-time expenditure of \$1,300 for equipment. The Library assumes that it would also fund the costs incurred by the Regional Library Systems for the filtering software subscription, installation, and maintenance, as well as 1.00 FTE Librarian II position in each of the seven Regional Library Systems to oversee the program and facilitate and assist in public library compliance for a total cost of \$428,953 annually. This estimate assumes annual ongoing costs of \$5,020 for the filtering software subscription and maintenance and 7.00 Librarian II FTE positions ($\$5,020 \times 7 + \$56,259 \times 7.00 \text{ FTE} = \$428,593$). The estimate of the software cost is based on Northeast Kansas Library System's existing contract for a similar statewide program.

In addition, the development of rules and regulations would require the State Library to contract with an attorney at a cost of \$29,120, which assumes hiring an Attorney II at \$28 per hour for a six-month term. Except for one-time equipment purchases and the temporary attorney, the expenses associated with passage of this Act as identified by the State Library would be ongoing.

The Division of the Budget does not believe the hiring of seven permanent state employees would be necessary. School districts and local libraries would determine the most efficient means to address this bill's requirements in their localities. The agency believes the staff are necessary to provide the necessary technical expertise for the installation, training and ongoing support of the technology.

The League of Kansas Municipalities states that passage of SB 104 could cause additional expense to cities in Kansas that operate public libraries and make computer Internet access available to their patrons. The League indicates that libraries that do not presently have these protection measures in place would need to acquire them, as well as train individuals in their application. However, the League is unable to make any specific estimate of what the fiscal effect might be. According to the Kansas Department of Education, passage of the bill would have no fiscal effect on its budget. Any fiscal effect associated with SB 104 is not reflected in *The FY 2014 Governor's Budget Report*.

Sincerely,



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

cc: Melissa Wangemann, Kansas Association of Counties
Larry Baer, League of Kansas Municipalities
Barb Turner, State Library
Dale Dennis, Education