

February 18, 2019

The Honorable Gene Suellentrop, Chairperson
Senate Committee on Public Health and Welfare
Statehouse, Room 441-E
Topeka, Kansas 66612

Dear Senator Suellentrop:

SUBJECT: Fiscal Note for SB 167 by Senator Baumgardner, et al.

In accordance with KSA 75-3715a, the following fiscal note concerning SB 167 is respectfully submitted to your committee.

SB 167 would amend the Woman's-Right-To-Know Act concerning notification requirements for medication abortions. The bill would require the Kansas Department of Health and Environment (KDHE) to revise and maintain online and print resources regarding medication abortions that use mifepristone, also known as RU-486 or mifeprex. All clinic or facility types listed in the bill providing medication abortions would be required to post signage regarding mifepristone and the prescribing physician must verbally provide the information to the woman at least 24 hours prior. Any violation of the Act would be a class A person misdemeanor. A subsequent violation and conviction would be a severity level 10, person felony. KDHE would be required to assess a fine of \$10,000 to any private office, freestanding surgical outpatient clinic, hospital, or other clinic or facility that fails to post a sign. Any funds collected from fines would be deposited into the State General Fund.

KDHE indicates SB 167 would require consultation with a medical provider to develop comprehensible, accurate content to be added to existing print and online resources and materials. The agency would need staff to coordinate and review materials, printing, distributing, orders and other activities, but these expenses would be absorbed within existing resources. Printing, postage and contractual services for the agency is estimated to cost \$27,450 from the State General Fund for FY 2020. The agency indicates that it is not possible to estimate the revenue to the State General Fund. The Office of Judicial Administration indicates the bill has the potential for increasing litigation in the courts because of the new violation created by the bill. If it does, the Office indicates that there would be a fiscal effect on the operations of the court system. However,

it is not possible to predict the number of additional court cases that would arise or how complex and time-consuming they would be. Therefore, a precise fiscal effect cannot be determined. Any fiscal effect associated with SB 167 is not reflected in *The FY 2020 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "L. L. Campbell". The signature is fluid and cursive, with a large initial "L" and a smaller "L" followed by "Campbell".

Larry L. Campbell
Director of the Budget

cc: Dan Thimmesh, Health & Environment
Janie Harris, Judiciary