

January 20, 2021

The Honorable Steve Huebert, Chairperson
House Committee on Education
Statehouse, Room 286B-N
Topeka, Kansas 66612

Dear Representative Huebert:

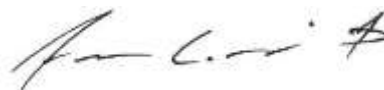
SUBJECT: Fiscal Note for HB 2038 by Representative Huebert

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2038 is respectfully submitted to your committee.

HB 2038 would create the Educator Protection Act and the Kansas Education Liability Fund, which would provide excess professional liability coverage for all full-time and part-time teachers and student teachers. The fund would protect against damages for claims arising from the performance of the teachers' and student teachers' duties within the scope of employment or assignment. The Commissioner of Insurance or designee would be the administrator of the Kansas Educator Liability Fund. The bill would provide that the fund would cover the costs associated with the administration of the fund, along with the purchase of any insurance policies by the Insurance Commissioner for the program. Finally, the purchase of any insurance policies for this program would not be subject to the bid process of the state's Committee on Surety Bonds and Insurance.

The fiscal note response from the Insurance Department did not have an estimate for the cost of premiums or an estimate for the cost to administer the program. Because the bill would specify that teachers or student teachers would be prohibited from being charged a premium, fee or any other cost for the program, the Division of the Budget estimates that all costs for the program, including all administration costs, could be financed through existing resources of the Insurance Department or an appropriation from the State General Fund. Any fiscal effect associated with HB 2038 is not reflected in *The FY 2022 Governor's Budget Report*.

Sincerely,



Adam Proffitt
Director of the Budget

cc: Craig Neuenswander, Education
Bobbi Mariani, Insurance