

January 26, 2022

The Honorable Robert Olson, Chairperson
Senate Committee on Federal and State Affairs
Statehouse, Room 144-S
Topeka, Kansas 66612

Dear Senator Olson:

SUBJECT: Fiscal Note for SB 360 by Senate Committee on Transparency and Ethics

In accordance with KSA 75-3715a, the following fiscal note concerning SB 360 is respectfully submitted to your committee.

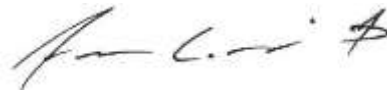
SB 360 would create the Kansas Assistance Animals in Housing Act. The bill would allow individuals with assistance animals to seek an exception from housing providers to policies that restrict animals on a property. The housing provider would be allowed to require reliable documentation of the disability and need for an assistance animal. The provider would be allowed to deny a documented request for reasons specified in the bill. The provider would be allowed to require payment for damage caused by an assistance animal but would be prohibited from requiring a pet-related deposit, fee, or assessment for the assistance animal or requiring special liability insurance or coverage for the assistance animal. Providers would not be liable for injuries or damages caused by an assistance animal permitted on the provider's property.

SB 360 would also create new provisions in the Kansas Criminal Code that would prohibit the misrepresentation of entitlement to an assistance animal in housing. The criminal penalty for violation of provisions in the bill would be an unclassified nonperson misdemeanor for a first conviction with a fine between \$25 and \$100, a class C nonperson misdemeanor for a second conviction, or a class A nonperson misdemeanor for a third or subsequent conviction.

The Kansas Human Rights Commission states that the agency will not incur additional expenses due to the enactment of the bill because the agency already accepts housing disability discrimination complaints involving the denial or restricted use of assistance animals. The revenue from fines due to enactment of SB 360 cannot be estimated.

The Office of Judicial Administration states enactment of SB 360 could increase the number of cases filed in district court because it creates a new crime under the Kansas Assistance Animals in Housing Act, which could result in more time spent by court employees and judges processing and deciding these cases. The Office estimates enactment of the bill could result in the collection of docket fees and fines assessed in those cases filed under the bill's provisions. According to the Office, a fiscal effect cannot be estimated. Any fiscal effect associated with SB 360 is not reflected in *The FY 2023 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt
Director of the Budget

cc: Ruth Glover, Human Rights Commission
Vicki Jacobsen, Judiciary