

March 3, 2022

The Honorable Kellie Warren, Chairperson  
Senate Committee on Judiciary  
Statehouse, Room 346-S  
Topeka, Kansas 66612

Dear Senator Warren:

**SUBJECT:** Fiscal Note for SB 411 by Senate Committee on Judiciary

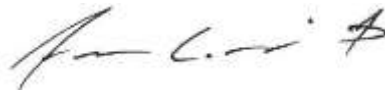
In accordance with KSA 75-3715a, the following fiscal note concerning SB 411 is respectfully submitted to your committee.

SB 411 would prohibit the Governor, government entities, and public officials from restricting any business activity in the state in a manner that prevents a business entity from providing their products or services to the public if the entity possesses all applicable licenses and permits to do business in the state. The bill would require a two-thirds majority vote by the members of a local unit governing body for any action taken by a local unit of government during a local disaster emergency that had the effect of substantially burdening or inhibiting business or commercial activity and the action would be limited to 14 calendar days. The bill would also change references of “order(s)” to “recommendation(s)” throughout KSA 65-201 and KSA 65-202, which relate to the authority of county commissioners and local health officers. SB 411 would take effect upon publication in the *Kansas Register*.

The Kansas Department of Health and Environment and the Office of the Governor state that enactment of SB 411 would not have any fiscal effect on the operations of either agency. Legislative Administrative Services notes that publication in the *Kansas Register* would create additional expenditures of approximately \$505, all from the State General Fund. Any fiscal effect associated with SB 411 is not reflected in *The FY 2023 Governor’s Budget Report*.

The Kansas Association of Counties states enactment of the bill could increase administrative costs related to local government leadership to vote on measures, but a fiscal effect could not be estimated. The League of Kansas Municipalities states the bill would have no fiscal effect on cities.

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: Karen Clowers, Legislative Services  
Wendi Stark, League of Municipalities  
Jay Hall, Association of Counties  
Shelbie Konkell, Office of the Governor  
Dan Thimmesch, Health & Environment