

January 23, 2023

The Honorable Beverly Gossage, Chairperson
Senate Committee on Public Health and Welfare
300 SW 10th Avenue, Room 142-S
Topeka, Kansas 66612

Dear Senator Gossage:

SUBJECT: Fiscal Note for SB 20 by Senators Steffen and Thompson

In accordance with KSA 75-3715a, the following fiscal note concerning SB 20 is respectfully submitted to your committee.

SB 20 would expand KSA 44-663 related to employer COVID-19 vaccine requirements to cover any vaccine requirement imposed by an employer. This would include requiring an employee to receive a vaccine, requiring an employee to provide documentation certifying receipt of a vaccine, or enforcement of those requirements by the federal government or any other entity. The bill would define “vaccine” as an immunization, vaccination, injection, or series thereof that is administered to stimulate immunity against a particular disease. The definition of “employee” would also be amended to include students in high school and postsecondary educational institutions who interact with patients and deliver care at health care facilities under the supervision of licensed individuals.

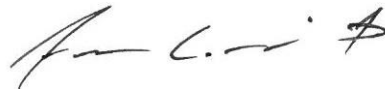
In addition, the bill would amend provisions related to vaccine requirements for maternity centers, child care facilities, and schools by requiring exemptions for sincerely held religious beliefs without inquiry into the sincerity of the request. Religious beliefs would include, but not be limited to, theistic and non-theistic moral and ethical beliefs as to what is right and wrong that are sincerely held with the strength of traditional religious views. The bill would also require plaintiff statutory damages of \$25,000 in actions against child care facilities or schools for violations of the religious belief exemption.

The Kansas Department of Labor reports that enactment of SB 20 has the potential to increase the workload related to legal reviews and investigations for reported employer violations. There would also be additional revenue due to fees collected from employers in violation, however, a fiscal effect could not be estimated. The Office of Judicial Administration and the

Kansas Department of Health and Environment state that enactment of SB 20 would not have a fiscal effect on the operations of either agency.

According to the Kansas Board of Regents, enactment of SB 20 would not have a fiscal effect on public postsecondary educational institutions and the Kansas State Department of Education estimates a negligible effect on agency operations and school districts. Any fiscal effect associated with SB 20 is not reflected in *The FY 2024 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: Amy Penrod, Department of Health & Environment
Dawn Palmberg, Department of Labor
Craig Neuenswander, Department of Education
Kelly Oliver, Board of Regents
Vicki Jacobsen, Judiciary
Wendi Stark, League of Kansas Municipalities
Jay Hall, Kansas Association of Counties