

March 6, 2024

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 528 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 528 is respectfully submitted to your committee.

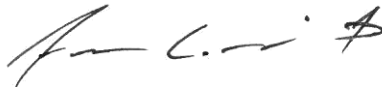
SB 528 would establish the Kansas Ultrasound Act. The bill would require an obstetric ultrasound prior to any woman giving informed consent to have any part of an abortion performed or induced, and prior to the administration of any anesthesia or medication in preparation for the abortion. The bill would make related definitions, outline other requirements related to the ultrasound procedure, and provide exceptions to requirements. Violations of the provisions of the bill would constitute a severity level 9, nonperson felony and civil actions would also be allowed.

According to the Office of Judicial Administration, enactment of SB 528 could increase the number of cases filed in district courts because it creates a new crime and allows for civil actions to be filed. This could result in more time spent by judicial and nonjudicial personnel processing, researching, and hearing these cases. Since the new crime carries a severity level 9, nonperson felony penalty, there could also be more supervision of offenders required to be performed by court services officers. 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, which would be deposited to the State General Fund. The bill would not affect other revenues to the Judicial Branch. However, a fiscal effect cannot be estimated.

The Kansas State Board of Healing Arts indicates enactment of SB 528 could result in some actionable complaints being filed, but the agency anticipates handling these within existing resources. The Kansas Sentencing Commission reports enactment of the bill could impact prison admissions and beds, but states convictions would likely result in probation. The Kansas

Department of Corrections and the Kansas Department of Health and Environment state that enactment of the bill would not have a fiscal effect on agency operations. Any fiscal effect associated with SB 528 is not reflected in *The FY 2025 Governor's Budget Report*.

Sincerely,

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

Adam C. Proffitt
Director of the Budget

cc: Susan Gile, Board of Healing Arts
Amy Penrod, Department of Health & Environment
Trisha Morrow, Judiciary
Jennifer King, Department of Corrections
Scott Schultz, Kansas Sentencing Commission