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Laura Kelly, Governor

March 4, 2026

The Honorable Kellie Warren, Chairperson
Senate Committee on Judiciary
300 SW 10th Avenue, Room 346-S
Topeka, Kansas 66612

Dear Senator Warren:

SUBJECT: Fiscal Note for SB 454 by Senator Bowser

In accordance with KSA 75-3715a, the following fiscal note concerning SB 454 is respectfully submitted to your committee.

SB 454 would enact the Crush Transnational Repression in Kansas Act. The bill would define transnational repression as actions by agents of foreign principals that are intended to harass, intimidate, censor, or otherwise extend a foreign government's ability to influence or control individuals outside that government's jurisdiction. The bill would designate the following as foreign adversaries: People's Republic of China, including the Hong Kong special administrative region, Republic of Cuba, Islamic Republic of Iran, Democratic People's Republic of Korea, Russian Federation, Bolivarian Republic of Venezuela, and any organization designated as a foreign terrorist organization as of July 1, 2026, by the federal government. Foreign adversary would not include the Republic of China (Taiwan).

A person commits a crime with the intent to commit transnational repression if such crime is undertaken by an agent of a foreign principal or foreign terrorist organization who acts knowingly at the direction of or on behalf of such entity with the intent to coerce another person to act on behalf of the foreign principal; coerce or cause another person to leave the United States; cause a person to refrain from exercising conduct protected by the First Amendment of the Constitution of the United States; or retaliate against a person for engaging in such protected conduct. In addition, the criminal conduct must not be protected by the First Amendment.

The Director of the Kansas Bureau of Investigation (KBI) would be required to develop or adopt training in transnational repression recognition and response by July 1, 2027. The bill details elements that would be included in the training. The Director would also be required to develop

public awareness information that would be displayed on KBI's website, develop reporting mechanisms that would be available in multiple languages, and prepare annual reporting on the number of complaints received and the outcomes. The University of Kansas and Kansas State University would be required to include information on transnational repression in their campus disciplinary policies and provide for direct complaints of transnational repression to be made to a university liaison.

The bill would amend the Kansas sentencing guidelines for certain felony offenses, such as kidnapping, human trafficking, certain sex offenses, or any attempt or conspiracy with the intent to commit transnational repression. For offenses classified at severity levels 2 through 10, the sentence would be increased by one severity level above the appropriate level for such offense. For severity level 1 offenses, the sentence would be life imprisonment with no eligibility for probation, suspension, modification, or reduction of sentence. In addition, the offender would serve at least 25 years before parole eligibility, with no reduction for good time credits. An exception would apply when the offender's criminal history results in a sentencing range exceeding 300 months, in which case the mandatory minimum term would equal the established sentencing range. The sentencing imposed under the bill would not be considered a departure from current sentencing guidelines and would not be subject to appeal.

The Sentencing Commission estimates that enactment of SB 454 would negligibly increase prison admissions and bed space, but that this effect cannot be determined at this time. The current estimated available bed capacity is 9,924 for males and 968 for females. Based upon the Commission's most recent ten-year projection contained in its *FY 2026 Adult Inmate Prison Population Projections* report, it is estimated that the year-end population will total 9,176 male and 924 female inmates in FY 2026 and 9,485 male and 953 female inmates in FY 2027. The Department of Corrections indicates that enactment of the bill would have a negligible fiscal effect that could be absorbed within existing resources.

The Office of Judicial Administration indicates enactment of the bill could increase the number of cases filed in district courts for transnational repression. Since the criminal penalties would be increased by one severity level, there could be less supervision of offenders required to be performed by court services officers. The bill could also result in a decrease in supervision fee revenues that would be deposited into the agency's Correctional Supervision Fund and the State General Fund. However, the agency states a precise fiscal effect cannot be estimated.

The Kansas Bureau of Investigation states that any costs to develop training materials and develop public awareness and reporting would be absorbed within its existing resources. Kansas State University, the University of Kansas, and the University of Kansas Medical Center all state that designating a university liaison and updating campus disciplinary policies would be absorbed within existing resources. The Office of the Attorney General and the Adjutant General's Department both state that the bill would not have a fiscal effect. Any fiscal effect associated with SB 454 is not reflected in *The FY 2027 Governor's Budget Report*.

The Kansas Association of Counties states that enactment of the bill could increase investigation and prosecution expenditures for counties. However, the Association cannot

estimate a fiscal effect. The League of Kansas Municipalities states that the bill would increase expenditures for cities because cities and their law enforcement would have to develop and implement new procedures related to the recognition and response training related to transnational repression. The League is unable to estimate a precise fiscal effect.

Sincerely,

Adam C. Proffitt
Director of the Budget

cc: Paul Weisgerber, Kansas Bureau of Investigation
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