

March 19, 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 297 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 297 is respectfully submitted to your committee.

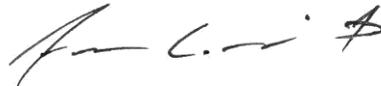
SB 297 would amend the definition of “abortion” within KSA 65-6701 and statutory references to “abortion” and “medical emergency” within KSA 40-2,190, 65-4a01, 65-6723, and 65-6742 would be updated to reference KSA 65-6701. “Abortion” would be updated to mean the use or prescription of any instrument, medicine, drug, or any other means to terminate the pregnancy of a woman knowing that such termination will, with reasonable likelihood, result in the death of the unborn child. The bill would also include exceptions for the use of certain prescriptions and would specify the definition did not include the prescription, dispensing, administration, sale, or use of any method of contraception.

The Kansas State Board of Healing Arts states that enactment of SB 297 could result in actionable complaints, but the fiscal effect cannot be estimated. The agency anticipates that it would handle any additional workload within existing resources. The Office of Judicial Administration reports that enactment of the bill would have a negligible effect on expenditures and revenues for the Judicial Branch. The Office of the Attorney General states that like any law, the measure could be challenged in state or federal court, and such challenges could span several levels of appeal over the course of multiple fiscal years. The agency is unable to estimate a fiscal effect as there is no way to determine if there would be challenges to the law, or the success or failure of efforts to defend the law.

According to the Kansas Board of Nursing, the Kansas Insurance Department, the Kansas Department of Health and Environment, and the Kansas Behavioral Sciences Regulatory Board, enactment of SB 297 would not result in a fiscal effect on the operations of any of the respective

agencies. Any fiscal effect associated with SB 297 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
Susan Gile, Board of Healing Arts
John Milburn, Office of the Attorney General
Bobbi Mariani, Insurance Department
Jill Simons, Board of Nursing
David Fye, Behavioral Sciences Regulatory Board
Vicki Jacobsen, Judiciary