

February 14, 2025

The Honorable Cyndi Howerton, Chairperson
House Committee on Child Welfare and Foster Care
300 SW 10th Avenue, Room 152-S
Topeka, Kansas 66612

Dear Representative Howerton:

SUBJECT: Fiscal Note for HB 2311 by House Committee on Child Welfare and Foster Care

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2311 is respectfully submitted to your committee.

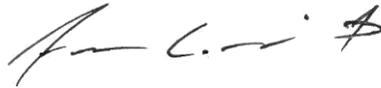
HB 2311 would prohibit the Department for Children and Families (DCF) from implementing or enforcing policies that would require individuals to support government positions on sexual orientation or gender identity that conflict with their sincerely held religious or moral beliefs. Additionally, the bill would prevent DCF from denying placement, custody, or licensure to otherwise eligible individuals based on their religious or moral beliefs about these matters or their intent to raise children according to those beliefs. DCF would be able to consider the religious and moral beliefs of the child, their biological family, and their community when determining appropriate placements. The bill would not prevent DCF from making placements that serve the best interests of the child as required by law. The bill would establish legal recourse for individuals who believe they have been wronged under these provisions. Those who suffer violations could seek both actual and punitive damages, along with injunctive relief and recovery of legal costs.

The Office of Judicial Administration indicates that enactment of HB 2311 could increase the number of cases filed in district courts because it would create a civil cause of action for a perceived violation. This, in turn, would increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. Nevertheless, until the courts have had an opportunity to operate under the provisions of HB 2311, an accurate estimate of the fiscal effect on expenditures by the Judicial Branch cannot be given. The bill would not have a fiscal effect on revenues to the Judicial Branch. However, the bill could result in the collection of

docket fees in those cases filed under the provisions of the bill, which would be deposited in the State General Fund

According to the Department for Children and Families, enactment of HB 2311 would not have a fiscal effect on the agency. The Office of the Attorney General indicates that enactment of HB 2311 would not have a fiscal effect on the Office, but states that this bill would be at an elevated risk of facing litigation. The Office has recent experience defending laws with similar subject matters and may be able to keep the cost of litigation down to a lower amount. Any fiscal effect associated with HB 2311 is not reflected in *The FY 2026 Governor's Budget Report*.

Sincerely,

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

Adam C. Proffitt
Director of the Budget

cc: Trisha Morrow, Judiciary
Matt Bingesser, Office of the Attorney General
Kim Holter, Department for Children & Families