

February 24, 2025

The Honorable Mike Thompson, Chairperson
Senate Committee on Federal and State Affairs
300 SW 10th Avenue, Room 144-S
Topeka, Kansas 66612

Dear Senator Thompson:

SUBJECT: Fiscal Note for SB 178 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 178 is respectfully submitted to your committee.

SB 178 would require each law enforcement agency to submit a request to the United States Immigration and Customs Enforcement (ICE) agency to enter into an agreement to designate certain law enforcement officers to be authorized to assist in the enforcement of federal immigration laws. The bill would define “law enforcement agency” as a city police department, a county sheriff’s department, a county law enforcement department, a county police department, or any other law enforcement department of a taxing political subdivision. Each agency offered an agreement would be required to enter into the agreement and a copy would be sent to the Attorney General. If a law enforcement agency is not offered an agreement, then the agency would send written notification to the Attorney General stating that request was properly submitted to ICE but no agreement was offered. The Attorney General would send a written notice to a law enforcement agency that is not in compliant with the provisions of the bill stating that they must become compliant within 30 days of notification.

The Attorney General could bring a cause of action against a law enforcement agency that fails to comply with the bill and the action would be in the Shawnee County District Court. The Attorney General could seek injunctive relief to bring an agency into compliance and other relief the Attorney General deems necessary. The court could award reasonable expenses when the Attorney General is the prevailing party. When a final, non-appealable decision is made that the agency failed to comply with the provisions of the bill, the agency would be ineligible to receive any state grant monies for the ensuing fiscal year. A copy of the court order would be sent to the State Treasurer, the Director of the Budget, and the Director of Legislative Research. The Director

of the Budget would certify to the Director of Accounts and Reports amounts to be lapsed or reduced from an expenditure limitation.

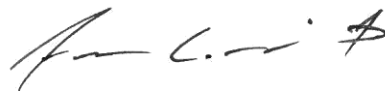
The Office of the Attorney General states that it would require \$81,202 in FY 2026 and \$85,262 in FY 2027 from the State General Fund. Of this amount, \$62,366 is for 1.00 Program Consultant position and \$18,836 is for related operating expenditures to accept and manage the filings from the law enforcement agencies. The Office estimates a 5.0 percent increase in expenditures for FY 2027.

The Office of Judicial Administration states that the bill could increase the number of cases filed in district court because the bill allows the Attorney General to file a cause of action. This would increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. The bill could also increase the collection of docket fees which would be deposited into the State General Fund. However, the Office cannot determine a precise fiscal effect of the bill.

The Department of Administration states that enactment of the bill would have no fiscal effect. Any fiscal effect associated with SB 178 is not reflected in *The FY 2026 Governor's Budget Report*.

The Kansas Association of Counties states that the bill could affect counties depending on the requirements of an agreement. However, a fiscal effect cannot be estimated. The League of Kansas Municipalities states that the bill would require municipalities and law enforcement officers to develop and implement new procedures. These added duties would require additional time and training for city appointed officials and law enforcement. However, the League is unable to estimate a fiscal effect.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt", followed by a stylized flourish.

Adam C. Proffitt
Director of the Budget

cc: Wendi Stark, League of Kansas Municipalities
Jay Hall, Kansas Association of Counties
Matt Bingesser, Office of the Attorney General
Trisha Morrow, Judiciary
Samir Arif, Department of Administration