



February 3, 2026

The Honorable Renee Erickson, Chairperson
Senate Committee on Education
300 SW 10th Avenue, Room 144-S
Topeka, Kansas 66612

Dear Senator Erickson:

SUBJECT: Fiscal Note for SB 421 by Senate Committee on Education

In accordance with KSA 75-3715a, the following fiscal note concerning SB 421 is respectfully submitted to your committee.

SB 421 would provide that no student could be discriminated against or penalized by a school operated by a school district for the following: (1) engaging in religious, political, or ideological speech or viewpoint when other students are engaging in similar activities; or (2) expressing a religious, political, or ideological viewpoint in a homework assignment, artwork, presentation, or other written or oral assignments. The bill would specifically provide that a student may engage in protected speech or expression at school.

The bill would allow one or more students to organize religious, political, or ideological clubs or organizations. No school could discriminate against a student club because of the viewpoints expressed or any requirements that the leaders or members affirm and adhere to the sincerely held beliefs of the club.

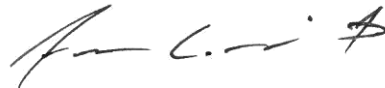
Any student or student, club, or organization that would be harmed by a violation of the bill's provisions would have a private cause of action against the school for relief, monetary damages, reasonable attorney fees, and any other appropriate relief. If a court finds that a violation occurred, the court may award damages of at least \$5,000 for each violation. Any student, club, or organization aggrieved by a violation may assert violation as a defense or counterclaim to any disciplinary action or proceedings brought against the student, club, or organization.

Any action under the provisions of the bill could not be filed more than two years after the day that the violation occurred. Each day that the violation persists would constitute a new day that the cause of action has occurred. The provisions of SB 421 would be severable.

The Department of Education indicates the enactment of SB 421 would not have a fiscal effect on state aid to school districts or the agency's operations. The Office of Judicial Administration indicates that the enactment of the bill could increase the number of cases filed in district courts because it allows a party to bring a private cause of action against a school for violations. These actions would increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. The agency notes that the enactment of the bill would result in the collection of docket fees for any cases filed, which would be deposited into the State General Fund. However, a fiscal effect cannot be estimated. Any fiscal effect associated with SB 421 is not reflected in *The FY 2027 Governor's Budget Report*.

The Kansas Association of School Boards indicates that the enactment of the bill would increase expenditures for school districts for professional development, costs associated with litigation arising from violations, damage awards, and increased liability insurance costs; however, a fiscal effect estimate was not provided.

Sincerely,

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

Adam C. Proffitt
Director of the Budget

cc: Gabrielle Hull, Department of Education
Angie Stallbaumer, Kansas Association of School Boards
Trisha Morrow, Judiciary