

SESSION OF 2026

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2635

As Recommended by House Committee on
Federal and State Affairs

Brief*

HB 2635 would create the Pregnancy Center Autonomy and Rights of Expression Act (Act). It would make several findings related to pregnancy centers and the services provided at such centers, and it would prohibit regulations, policies, procedures, or other measures that would prohibit a pregnancy center from taking certain actions, or requiring that a pregnancy center take specific actions. The bill would also define certain terms.

Prohibited Policies

The bill would prohibit a state agency, department, division, bureau, institution or subdivision, or any county, city, or other political subdivision from enacting or adopting any law, ordinance, resolution, rule and regulation, policy, procedure, or any other similar measure that:

- Requires a pregnancy center or medical pregnancy center to:
 - Offer or perform abortions;
 - Offer, provide, or distribute abortion-inducing drugs;
 - Make a referral for an abortion or an abortion-inducing drug;

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

- Counsel in favor of abortion or abortion-inducing drugs; and
- Post any advertisement, sign, flyer, or similar material that promotes abortion or abortion-inducing drugs or provides any information about obtaining an abortion or abortion-inducing drugs.

The Act would also prohibit policies that would apply to the pregnancy center or medical pregnancy center because it does not perform, refer, or counsel in favor of abortion or abortion-inducing drugs. Specifically, the Act would prohibit policies that would prohibit a pregnancy center or medical pregnancy center from providing:

- Information, care, counseling, classes, or other services related to pregnancy, childbirth, or parenting because the pregnancy center or medical pregnancy center does not perform, refer, or counsel in favor of abortion or abortion-inducing drugs;
- Prenatal and postnatal resources, including diapers, baby clothes, baby furniture, formula, and similar items because the pregnancy center or medical pregnancy center does not perform, refer, or counsel in favor of abortion or abortion-inducing drugs; and
- Medical testing, medical counseling, and medical care or treatment related to pregnancy or childbirth.

The Act would also prohibit policies that would:

- Prohibit a medical pregnancy center from counseling a woman on any pregnancy-related care or treatment; or

- Interfere with staffing or hiring decisions of a pregnancy center or medical pregnancy center by requiring such center to interview, hire, or continue to employ any person who does not affirm the center's mission statement or agree to comply with the center's pro-life ethic and operating procedures.

Civil Cause of Action—Damages

A pregnancy center, medical pregnancy center, or any party aggrieved by a violation of the Act could bring a civil action for damages, declaratory relief, injunctive relief, or any other appropriate relief. The bill would allow costs, including attorney fees, to be awarded to the prevailing party.

Intervention by the Legislature

The Act would allow the Legislature to pass a concurrent resolution that appoints one or more members of the Legislature to intervene as a matter of right in any legal proceeding in which the constitutionality or enforceability of the Act's provisions are challenged. The appointment would remain effective in the event the appointee ceases to no longer be a member of the Legislature.

Severability

The Act's provisions would be declared severable and the application to any person or circumstance that is held to be unconstitutional or invalid would not affect the validity of the remainder of the Act's provisions.

Background

The bill was introduced by the House Committee on Federal and State Affairs at the request of a representative of Kansans for Life.

House Committee on Federal and State Affairs

In the House Committee meeting, **proponent** testimony was provided by representatives of Alliance Defending Freedom, Branches Pregnancy and Family Centers, Insight Women's Center, Kansans for Life, Kansas Catholic Conference, Kansas Family Voice, Nativity House KC, and Two Lines Pregnancy Clinic. The proponents stated the bill would protect the freedom of speech and association and that other states have attempted to regulate the speech of pregnancy centers.

Written-only proponent testimony was provided by representatives of Insight Women's Center, JC Pregnancy Center, Kansas City Pregnancy Clinic, and Sparrow Women's Clinic, and a private citizen.

Opponent testimony was provided by representatives of Loud Light Civic Action, Mainstream Coalition, and Planned Parenthood Great Plains Votes. The conferees stated the bill favors persons of a certain faith over the rights of others, cited concerns with the conduct of pregnancy centers, and stated their preference to address maternal health through other means.

Written-only opponent testimony was provided by representatives of ACLU of Kansas, American Atheists, and Comprehensive Health of Planned Parenthood Great Plains.

No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, the Kansas Department of Health and Environment states enactment of the bill would not have a fiscal effect on the agency's operations or any of the agency's programs that support pregnancy care.

The Office of Judicial Administration (OJA) states the bill could increase the number of cases filed in district court because the bill creates a private cause of action for violations. This would increase the time spent by district court personnel in processing, researching, and hearing cases. The bill could also increase the collection of docket fees and civil penalties, which would be deposited into the State General Fund. However, OJA cannot determine a precise fiscal effect of the bill.

The Office of the Attorney General does not anticipate a direct fiscal effect resulting from enactment of the bill, but notes that due to the subject matter and the regulatory practices involved, the legislation presents an elevated risk of litigation, but that a fiscal effect could not be determined. Any fiscal effect associated with the bill is not reflected in the *FY 2027 Governor's Budget Report*.

Pregnancy center; medical pregnancy center; abortion; abortion-inducing drugs; civil cause of action