

February 13, 2023

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 156 by Senate Committee on Federal and State Affairs

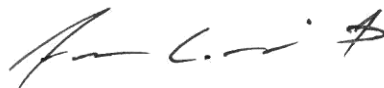
In accordance with KSA 75-3715a, the following fiscal note concerning SB 156 is respectfully submitted to your committee.

SB 156 would repeal the statute that prohibits a city or county from adopting any ordinance requiring fees, licenses, or permits for firearms or ammunition. The bill would repeal the statute that prohibits a municipality from being held liable for any wrongful act or omission related to the actions of a person carrying a firearm, including employees of a municipality. The bill would also repeal the statute that prohibits the use of tax proceeds for firearms buyback programs.

The Attorney General indicates it is likely that the constitutionality of the legislation would be challenged. The case would likely need to go through the appellate process to get a definitive ruling on the validity of the law. Depending on which court system the case was filed in, federal or state, an appellate decision could take two to four years. The Attorney General states that outside counsel might need to be hired by the state to defend a potential lawsuit, depending on the caseloads of in-house attorneys. If a challenge is successful, the state could be ordered to pay the plaintiff's attorney fees and costs. However, a precise fiscal effect cannot be estimated. Any fiscal effect associated with SB 156 is not reflected in *The FY 2024 Governor's Budget Report*.

The League of Kansas Municipalities indicates enactment of the bill could increase expenditures for cities that choose to implement ordinances that were previously prohibited by statute. However, fiscal effect cannot be estimated. The Kansas Association of Counties indicates enactment of the bill would not have a fiscal effect on counties.

Sincerely,



Adam Proffitt  
Director of the Budget

cc: Jay Hall, Kansas Association of Counties  
Wendi Stark, League of Kansas Municipalities  
John Milburn, Office of the Attorney General