

February 14, 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:

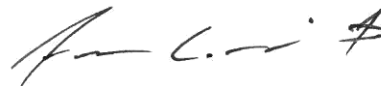
SUBJECT: Fiscal Note for SB 222 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 222 is respectfully submitted to your committee.

Notwithstanding the provisions of federal law, SB 222 would require any provider of an online platform to be treated as the publisher or speaker of information published by a user of the online platform if the provider (1) knew or should have known the provider used an algorithm to make personalized recommendations to a user of the online platform; and (2) the posts materially contributed to a physical or severe emotional injury to the user. The bill would require wireless communication device vendors to set wireless communication devices to a default setting that enables a push notification on a parent's wireless communication device alerting the parent that a minor has downloaded an application on the minor's wireless communication device upon a parent's purchase and activation of a wireless communication device intended for use by a minor.

The Office of Judicial Administration indicates the enactment of SB 222 would have a negligible fiscal effect on the Judicial Branch. The Office of the Attorney General (OAG) indicates the bill does not specify which agency would enforce the bill's provisions or what the penalties would be for the failure to notify parents. As a result, the OAG cannot estimate a fiscal effect. Any fiscal effect from the enactment of the bill is not included in *The FY 2024 Governor's Budget Report*.

Sincerely,



Adam Proffitt  
Director of the Budget

cc: Brian Reiter, OITS  
Vicki Jacobsen, Judiciary  
John Milburn, Office of the Attorney General  
Tamara Emery, Department of Administration  
Craig Neuenswander, Department of Education