

February 16, 2022

The Honorable Kellie Warren, Chairperson  
Senate Committee on Judiciary  
Statehouse, Room 346-S  
Topeka, Kansas 66612

Dear Senator Warren:

**SUBJECT:** Fiscal Note for SB 466 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 466 is respectfully submitted to your committee.

SB 466 would prohibit any place of public accommodation from refusing service, products, admission, or transportation based upon an individual's vaccination status or possession of an immunity passport. The bill would define "immunity passport" as a document, digital record, or software application indicating that a person is immune to disease, either through vaccination or infection and recovery. The bill would prohibit any governing body or public official of any city or county from requiring face masks based on an epidemic or other public health reason. Violation of these prohibitions would be a class A nonperson misdemeanor.

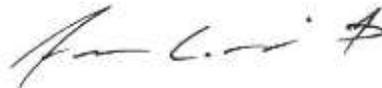
The bill would also add language to specify county commission boards would be authorized to review, amend, or revoke any order by a local health officer, including orders issued as a result of an executive order of the Governor, on behalf of a county regarding the remediation of any contagious or communicable disease. County commission boards currently have statutory authority to review, amend, or revoke those orders related to infectious disease. SB 466 would take effect upon publication in the *Kansas Register*.

The Office of Judicial Administration states enactment of SB 466 could increase the number of cases filed in district court because it creates new crimes related to vaccination status and mask mandates, which could result in more time spent by court employees and judges processing and deciding these cases. Because the crimes carry a class A nonperson misdemeanor penalty, there could also be more supervision of offenders by court services officers. The Office estimates enactment of the bill could result in the collection of docket fees and fines assessed in those cases filed under the bill's provisions. According to the Office, a fiscal effect cannot be

estimated. The Kansas Department of Health and Environment does not anticipate any fiscal effect on agency operations. Any fiscal effect associated with SB 466 is not reflected in *The FY 2023 Governor's Budget Report*.

The League of Kansas Municipalities states enactment of the bill would not have any fiscal effect on cities. The Kansas Association of Counties states there could be an effect on county sales tax revenue, depending on how individuals react to the legislation and whether they view mask mandates and vaccine requirements as safety measures or unnecessary restrictions.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt  
Director of the Budget

cc: Dan Thimmesch, Health & Environment  
Vicki Jacobsen, Judiciary  
Wendi Stark, League of Municipalities  
Jay Hall, Association of Counties