

March 11, 2015

The Honorable John Barker, Chairperson
House Committee on Judiciary
Statehouse, Room 149-S
Topeka, Kansas 66612

Dear Representative Barker:

SUBJECT: Fiscal Note for HB 2323 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2323 is respectfully submitted to your committee.

HB 2323 would amend the Kansas Act Against Discrimination by prohibiting discrimination in employment, housing and public accommodation based on a person's sexual orientation or gender identity. In addition to including definitions of "sexual orientation" and "gender identity," the bill also adds a definition for "religion" under the act.

Estimated State Fiscal Effect				
	FY 2015 SGF	FY 2015 All Funds	FY 2016 SGF	FY 2016 All Funds
Revenue	--	--	--	--
Expenditure	--	--	\$68,544	\$68,544
FTE Pos.	--	--	--	1.00

The Kansas Human Rights Commission indicates HB 2323 would require additional expenditures of \$68,544 from the State General Fund and 1.00 Special Investigator II FTE position in FY 2016. This cost estimate assumes that the number of public contacts at the intake level would increase by 325 and the projected number of sexual orientation and gender identity complaints would be approximately 50. The number of complaints is based on a U.S. General Accounting Office study published in 2013 that reviewed employment discrimination complaints of sexual orientation and gender identity in 21 states and the District of Columbia. According to the study, 2,127 sexual orientation and gender identity complaints out of a total population of 139,672,848 were received in those states and the District of Columbia, or .0015 percent of the population in the study. If this percentage is applied to the population of Kansas, approximately

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44 complaints would be received by the Commission (.0015 percent X 2,904,021). However, based on the Commission's experience with previous changes to the Kansas Act Against Discrimination and a review of 13 states that currently accept sexual orientation and/or gender identity complaints, it is estimated that the number of complaints would be closer to 50.

The expenditures for FY 2016 would include \$54,176 for the salaries and benefits for the position; \$2,103 for increased telecommunication, data and postage costs associated with the 325 public contacts; \$946 for printing new law books and posters; \$190 for routine repair and installation of additional telephones; \$7,234 for updating the Commission's internal complaint database and other Office of Information Technology Services charges; \$685 for various consumable office supplies; and \$3,210 for office equipment for the new position. Total costs in FY 2017 are estimated to be \$60,826 from the State General Fund. Any fiscal effect associated with HB 2323 is not reflected in *The FY 2016 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a horizontal line extending to the right.

Shawn Sullivan,
Director of the Budget

cc: Ruth Glover, Human Rights Commission