

February 5, 2024

The Honorable Beverly Gossage, Chairperson  
Senate Committee on Public Health and Welfare  
300 SW 10th Avenue, Room 142-S  
Topeka, Kansas 66612

Dear Senator Gossage:

**SUBJECT:** Fiscal Note for SB 353 by Senate Committee on Public Health and Welfare

In accordance with KSA 75-3715a, the following fiscal note concerning SB 353 is respectfully submitted to your committee.

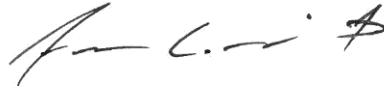
SB 353 would create the Kansas Child Mutilation Prevention Act. On or after July 1, 2024, the Act would authorize civil actions against physicians that performed a childhood gender reassignment service. The bill would define childhood gender reassignment service as performing, or causing to be performed, certain acts listed in the bill upon a child under 18 years of age for the purpose of attempting to affirm the child's perception of the child's sex or gender if that perception is inconsistent with the child's sex. Provisions of the bill would not apply if the child was born with a medically verifiable disorder of sex development. Actions could be brought by individuals who had the service performed on them as a child and would be required to be brought against the physician not more than five years after the date the individual turned 18. The bill would also amend the Kansas Healing Arts Act to require revocation of a physician's license for any physician that performs a childhood reassignment service as defined in the bill.

According to the Kansas State Board of Healing Arts, enactment of SB 353 could result in actionable complaints, which would increase the staff workload of the Board. The total fiscal effect cannot be estimated. The Office of the Attorney General does not anticipate any effect on expenditures or revenue but states that any litigation expenses related to passage of SB 353 would likely be handled within existing resources.

The Office of Judicial Administration states enactment of SB 353 could increase the number of cases filed in district court because it allows for a civil cause of action to be filed, which could result in more time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing these cases. The Office estimates enactment of the bill could result in the

collection of docket fees assessed in those cases filed under the bill's provisions, which would be deposited to the State General Fund. The bill would not have a fiscal effect on other revenues to the Judicial Branch. According to the Office, a fiscal effect cannot be estimated. Any fiscal effect associated with SB 353 is not reflected in *The FY 2025 Governor's Budget Report*.

Sincerely,

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

Adam C. Proffitt  
Director of the Budget

cc: Trisha Morrow, Judiciary  
Susan Gile, Board of Healing Arts  
William Hendrix, Office of the Attorney General