

February 19, 2016

The Honorable Ralph Ostmeyer, Chairperson
Senate Committee on Federal and State Affairs
Statehouse, Room 136-E
Topeka, Kansas 66612

Dear Senator Ostmeyer:

SUBJECT: Fiscal Note for SB 450 by Senate Committee on Ways and Means

In accordance with KSA 75-3715a, the following fiscal note concerning SB 450 is respectfully submitted to your committee.

SB 450 would prevent cities and counties from having any ordinances, resolutions, policies or procedures that would restrict the enforcement of federal immigration laws. Cities and counties could not prohibit local law enforcement from gathering information and communicating with federal law enforcement agencies regarding the citizenship or immigration status of any individual.

The Office of Judicial Administration indicates the bill would have a negligible fiscal effect on the Judicial Branch. The Office of the Attorney General indicates that mandamus actions may be brought against cities that do not comply with the law. The Office of the Attorney General estimates that each mandamus action would cost between \$5,000 to \$10,000. However, the agency cannot estimate how many actions would be brought under SB 450.

The Kansas Association of Counties indicates that counties do not actively limit or restrict federal immigration enforcement; however, local sheriffs may choose not to detain an individual based on a detainer issued by U.S. Immigration and Customs Enforcement (ICE). These detainees are not court orders and can be challenged by alleging unlawful imprisonment. Counties and cities may encounter court fees and settlement fees if legal actions are filed. Jails may also encounter increased expenditures relating to the detention of individuals. Any fiscal effect associated with SB 450 is not reflected in *The FY 2017 Governor's Budget Report*.

Sincerely,



Shawn Sullivan,
Director of the Budget

cc: Ashley Michaelis, Judiciary
Larry Baer, League of Municipalities
Melissa Wangemann, Association of Counties
Willie Prescott, Attorney General's Office