

February 13, 2023

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 233 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 233 is respectfully submitted to your committee.

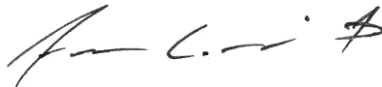
SB 233 would create the Kansas Child Mutilation Prevention Act. On or after July 1, 2023, the Act would authorize civil actions against physicians that performed a childhood gender reassignment service. The bill would define childhood gender reassignment service as performing, or causing to be performed, 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 three 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 233 could result in actionable complaints, which would increase the staff workload of the Board. The total fiscal effect cannot be estimated. The Office of Judicial Administration states enactment of SB 233 could increase the number of cases filed in district court because it allows for a civil suit to be filed against a physician who performed a childhood gender reassignment service, 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. According to the Office, a

The Honorable Beverly Gossage, Chairperson
Page 2—SB 233

fiscal effect cannot be estimated. Any fiscal effect associated with SB 233 is not reflected in *The FY 2024 Governor's Budget Report*.

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: Susan Gile, Board of Healing Arts
Vicki Jacobsen, Judiciary