

March 24, 2022

The Honorable Fred Patton, Chairperson
House Committee on Judiciary
Statehouse, Room 582-N
Topeka, Kansas 66612

Dear Representative Patton:

SUBJECT: Fiscal Note for HB 2666 by Representatives Byers, et al.

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2666 is respectfully submitted to your committee.

HB 2666 would allow any person to change the gender indicated on the person's driver's license, instruction permit or nondriver's identification card, and on the person's associated motor vehicle record by: (1) completing and submitting a form prescribed by the Division of Vehicles including a written certification of the person's gender by a licensed physician, master's level psychologist, clinical psychotherapist, advanced practice registered nurse, specialist clinical social worker, physician assistant, clinical professional counselor or clinical marriage and family therapist, and (2) surrendering all licenses, instruction permits or nondriver's identification cards in the person's possession.

The person requesting the gender change would be required to sign the application under penalty of perjury and certify that the gender classification accurately reflects the person's gender. The written certification by the healthcare provider must also be signed by the provider under penalty of perjury and shall certify: (1) the person requesting a change of gender classification is currently under the healthcare provider's care for the change of gender, unless the person is requesting a gender designation of "X", and (2) in the healthcare provider's professional opinion, the person's gender is male or female, and it is reasonably likely that the person's gender will remain the same for the foreseeable future.

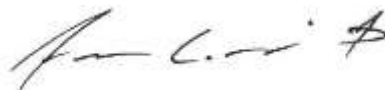
For a person requesting a gender designation of "X," the healthcare provider would not be required to indicate that the person is in the healthcare provider's care for change of gender. The bill would prohibit any refunds from being issued for any licenses, instruction permits or nondriver's identification cards surrendered. The Division would be required to furnish the

applicant with a driver's license, instruction permit or nondriver's identification card indicating the requested gender upon payment of the replacement fees. A written test and driving test would not be required if there is no change in the license type requested and the applicant already has a valid state driver's license.

The bill would require a new photograph to be taken for the new driver's license, instructional permit or nondriver's identification card. If the application is submitted within one year before the expiration of the person's existing state driver's license, instruction permit or nondriver's identification card, the person would be required to pay a renewal fee and comply with all other requirements for issuance of the state driver's license, instruction permit or nondriver's identification card. Finally, the bill would authorize any applicant to designate their gender as "X" on any application for a driver's license or instruction permit. HB 2666 would include technical amendments to current law and would take effect and be in force from and after its publication in the statute book.

The Department of Revenue indicates the enactment of HB 2666 would increase costs for testing the KanLicense system, but the costs would be negligible. The Board of Healing Arts indicates the bill may increase costs related to additional complaints. The Board indicates it cannot determine the additional amount of time that may be required from the enactment of the bill but estimates the cost to be negligible. Any fiscal effect associated with HB 2666 is not reflected in *The FY 2023 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: Lynn Robinson, Department of Revenue
Susan Gile, Board of Healing Arts
David Fye, Behavioral Sciences