

February 7, 2024

The Honorable Susan Humphries, Chairperson
House Committee on Judiciary
300 SW 10th Avenue, Room 582-N
Topeka, Kansas 66612

Dear Representative Humphries:

SUBJECT: Fiscal Note for HB 2592 by House Committee on Judiciary

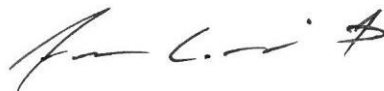
In accordance with KSA 75-3715a, the following fiscal note concerning HB 2592 is respectfully submitted to your committee.

HB 2592 would require age verification for access to certain websites with materials that are harmful to minors. Any commercial entity that knowingly shares or distributes material that is harmful to minors on a website and such material appears on 25.0 percent or more of the webpages viewed on the website in any calendar month, or if that entity knowingly hosts such website would be required to verify that any person attempting to access such website is 18 years of age or older. This would apply to residents of Kansas and those trying to access the website while in the State of Kansas. The bill would specify requirements for the age verification and make definitions for terms used throughout the bill. The Attorney General would be required to investigate upon a report of a violation of the provisions of the bill. The bill would allow for an action for injunctive relief to enjoin any continuing violation and would also allow for civil penalties. Violations would be considered an unconscionable act and practice under the Kansas Consumer Protection Act.

According to the Kansas Attorney General's Office, enactment of HB 2592 would require the Attorney General to investigate and bring actions for injunctive relief to enjoin any continuing violations of the provisions. The agency states they would need to hire at least 1.00 FTE attorney position to handle the investigations and actions for injunctive relief. The agency would also need 1.00 FTE legal assistant position to help manage the caseload. The agency estimates additional expenditures of at least \$210,000, all from the State General Fund, in FY 2025 and \$220,000, all from the State General Fund, in FY 2026. The agency is unable to determine if more staff would be needed to address the caseload resulting from the bill. The agency also anticipates additional resources would be required to defend the bill from legal challenges.

The Office of Judicial Administration states passage of HB 2592 could increase the number of cases filed in district courts because it allows for civil suit to be filed. This could result in more time spent by judicial and nonjudicial personnel processing, researching, and hearing these cases. The Office estimates enactment of the bill could result in the collection of docket fees and fines assessed in those cases filed under the bill's provisions, which would be deposited to the State General Fund. The bill would not affect other revenues to the Judicial Branch. However, a fiscal effect cannot be estimated. Any fiscal effect associated with HB 2592 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
William Hendrix, Office of the Attorney General