

January 27, 2016

The Honorable John Barker, Chairperson
House Committee on Judiciary
Statehouse, Room 519-N
Topeka, Kansas 66612

Dear Representative Barker:

SUBJECT: Fiscal Note for HB 2466 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2466 is respectfully submitted to your committee.

Under HB 2466, no city or county could prohibit law enforcement from gathering information about a person's citizenship or immigration status. Additionally, no city or county could prohibit the communication of such information to federal law enforcement agencies. Any ordinance, resolution, policy or procedure prohibiting these actions that was adopted prior to July 1, 2016, would be null and void.

Both the Kansas Association of Counties and the League of Kansas Municipalities indicate the enactment of HB 2466 would require local law enforcement to enforce all federal immigration laws, including the enforcement of extended hold orders issued by the United States Immigration and Customs Enforcement. Since local law enforcement would be prohibited from using the discretion currently practiced when dealing with persons suspected of violating immigration laws, Kansas cities and counties would experience increased costs related to the number of additional arrests made by law enforcement, and the additional time that an individual may be held in local law enforcement agencies beyond that which is permitted under current state law. Detaining individuals beyond the time in which their sentence is completed could also subject the arresting officer, the arresting agency and the detaining agency to federal litigation costs for violation of rights afforded an individual under the 4th Amendment to the *United States Constitution*. However, the League cannot provide a precise estimate of any additional costs that may result from the passage of HB 2466 because it is not possible to identify the number of additional charges that may be made.

Sincerely,



Shawn Sullivan,
Director of the Budget

cc: Shelia Sawyer-Tyler, KBI
Kim Torrey, Highway Patrol
Larry Baer, League of Municipalities
Melissa Wangemann, Association of Counties