

February 15, 2007

The Honorable Arlen Siegfried, Chairperson  
House Committee on Federal and State Affairs  
Statehouse, Room 136-N  
Topeka, Kansas 66612

Dear Representative Siegfried:

**SUBJECT:** Fiscal Note for HB 2367 by Representative Kinzer

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2367 is respectfully submitted to your committee.

HB 2367 prohibits illegal aliens residing in the United States from receiving state or local benefits, such as welfare, health, retirement, food assistance, unemployment, postsecondary education, except when they are required by federal law. The bill specifies proof and documentation with respect to eligibility requirements. Provision is also made for temporary benefits under certain conditions and restrictions.

The direct fiscal effect of passing HB 2367 would be budgetary savings as a result of eliminating benefit payments to illegal aliens in the categories mentioned. A precise and complete fiscal effect would require detailed information about the circumstances of all affected individuals and what benefits they currently receive, information that is not available.

Concerning postsecondary education, the Board of Regents states that HB 2367 would cause some students now eligible for lower in-state tuition rates to become ineligible, thereby reducing the level of tuition payments. Records indicate that 170 persons were enrolled under the law passed during the 2005 Legislative Session that allows in-state tuition rates for those without lawful immigration status. However, it is not known how many of these are without legal status under HB 2367.

Assuming all of them were, the loss of tuition revenue would be approximately \$416,500, based on an average tuition payment of \$2,450 for a Kansas community college. On the expenditure side, the cost of educating these individuals would not be incurred. Any loss would be based on the assumption that this bill would govern, considering the in-state tuition law is not repealed by HB 2367, thereby creating an unresolved conflict.


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The Department of Labor reports that passage of HB 2367 would not require additional resources to implement. The Department of Health and Environment believes its public health programs would be exempt under the provision of the bill that requires conformance with federal law. The Kansas Health Policy Authority cites administrative and coordinating complications that could ultimately have fiscal implications, inasmuch as the bill could slow down the eligibility process, creating backlogs. Accordingly, citizenship verification could have the eventual effect of requiring additional resources.

Sincerely,

A handwritten signature in black ink that reads "Duane A. Goossen". The signature is written in a cursive style with a large initial "D".

Duane A. Goossen  
Director of the Budget

cc: Judy Moler, Kansas Association of Counties  
Larry Baer, League of Kansas Municipalities  
Bill Schafer, Department of Labor  
Jackie Aubert, SRS  
Aaron Dunkel, Health & Environment  
Scott Brunner, Health Policy Authority  
Kelly Oliver, Board of Regents