

February 25, 2008

The Honorable Arlen Siegfried, Chairperson
House Committee on Federal and State Affairs
Statehouse, Room 161-W
Topeka, Kansas 66612

Dear Representative Siegfried:

SUBJECT: Fiscal Note for HB 2921 by House Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2921 is respectfully submitted to your committee.

HB 2921 would create the Kansas Employment Verification Act. This Act would require that employers in the State of Kansas verify the identity and employment eligibility of all persons hired. The employers must complete and retain a federal employment eligibility verification, or Form I-9, for each employee. The bill would prohibit any city from exempting itself from or making any changes to this Act. Employing an illegal alien would be a severity level 8 nonperson felony. Existing law makes both dealing in false identification documents and the crime of identity fraud severity level 8 nonperson felonies. HB 2921 would add false identification documents, which are used by an illegal alien for the purposes of obtaining employment documents, to the current list of illegal identification documents and would make the crime of dealing in such documents a severity level 5 nonperson felony. If the documents were used for the purpose of obtaining employment or used by an illegal alien, that crime would also be a severity level 5, nonperson felony.

The League of Kansas Municipalities and the Kansas Association of Counties both indicate that passage of HB 2921 would have the same effect on cities and counties as it would on other employers by increasing the paperwork involved with new hires. Neither organization was able to estimate the fiscal effect the increased paperwork would cause. According to the Kansas Sentencing Commission, passage of HB 2921 would have an effect on prison admissions, prison bed needs, and the workload of journal entries. However, the Commission has no way to determine the cost of this impact, because there are no data on which to base an

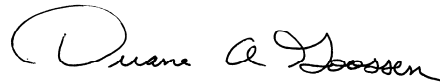
The Honorable Arlen Siegfried, Chairperson

February 25, 2008

Page 2—2921

estimate. Any fiscal effect resulting from the passage of this bill is not included in *The FY 2009 Governor's Budget Report*.

Sincerely,

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

Duane A. Goossen
Director of the Budget

cc: Matt Sinovic, Attorney General's Office
Bill Schafer, Labor
Larry Baer, LKM
Judy Moler, KS Association of Counties
Helen Pedigo, Sentencing Commission