

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 6741S.01I  
Bill No.: SB 1558  
Subject: Elementary and Secondary Education; Liability; Political Subdivisions  
Type: Original  
Date: March 16, 2026

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Bill Summary: This proposal provides that private schools shall not be civilly liable for establishing single-sex restrooms and changing rooms.

**FISCAL SUMMARY**

**ESTIMATED NET EFFECT ON GENERAL REVENUE FUND**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**ESTIMATED NET EFFECT ON OTHER STATE FUNDS**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: () indicate costs or losses.

**ESTIMATED NET EFFECT ON FEDERAL FUNDS**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

**ESTIMATED NET EFFECT ON LOCAL FUNDS**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
<b>Local Government</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

\*Oversight assumes costs to political subdivisions that adopt rules or regulations that violate §160.231 which would lead to payment to private schools for attorney fees and costs incurred by a private school for a valid defense.

## FISCAL ANALYSIS

### ASSUMPTION

#### §160.231 - Establishing Immunity from Civil Liability for Certain Actions Taken by Private Schools

Officials from the **Department of Elementary and Secondary Education** assume the proposal will have no fiscal impact on their respective organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

In response to similar legislation, SB 1893 (2026), officials from the **Office of Attorney General (AGO)** assumed any potential litigation costs arising from this proposal can be absorbed with existing resources. However, the AGO may seek additional appropriations if the proposal results in a significant increase in litigation or investigation.

**Oversight** does not have any information to the contrary. Therefore, Oversight assumes the AGO will be able to perform any additional duties required by this proposal with current staff and resources and will reflect no fiscal impact to the AGO for fiscal note purposes.

Officials from the **High Point R-III School District** assume the proposal will have a fiscal impact on their organization but did not provide any additional information.

**Oversight** notes this bill is pertains to private schools. High Point R-III School District is a public school and would not be affected. Therefore, Oversight will reflect no impact in the fiscal note for their organization.

In response to similar legislation, HCS HB 1197 (2025), officials from the **Hume R-VIII School District** and the **Joplin School District** both assumed the proposal will have no fiscal impact on their organizations.

**Oversight** notes the bill prohibits political subdivisions from adopting any ordinance, rule, or regulation prohibiting private schools from establishing multiple-occupancy restrooms and requires such entities to pay for attorney fees and costs incurred by a private school for a valid defense. Therefore, Oversight will show a zero (no litigation) or unknown cost to political subdivisions in the fiscal note.

Officials from the **City of Kansas City** assume the proposed legislation has a negative fiscal impact as it increases the city's exposure to liability.

Oversight notes there are many cities that have generic anti-discrimination ordinance or regulations however none of which specifically regulate restrooms utilized by a specific sex.

Therefore, Oversight would assume cities or counties would only open themselves to additional litigation in cases where they violate §160.231.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other school districts were requested to respond to this proposed legislation but did not. Upon the receipt of additional responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval to publish a new fiscal note. A general listing of political subdivisions included in our database is available upon request.

Rule Promulgation

Officials from the **Joint Committee on Administrative Rules** assume this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

Officials from the **Office of the Secretary of State (SOS)** note many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$5,000. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with its core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

<u>FISCAL IMPACT – State Government</u>	FY 2027	FY 2028	FY 2029
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2027	FY 2028	FY 2029
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
<u>Cost – Political Subdivisions</u> (\$160.231) Payment of attorney fees and costs incurred by private school for a valid defense p.3	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
<b>ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS</b>	<b>\$0 or <u>(Unknown)</u></b>	<b>\$0 or <u>(Unknown)</u></b>	<b>\$0 or <u>(Unknown)</u></b>

FISCAL IMPACT – Small Business

No direct fiscal impact on small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

This bill defines "multiple-occupancy restroom or changing area" and allows for private schools to establish such restrooms and changing areas for the exclusive use of males or females. The bill prohibits political subdivisions from adopting any ordinance, rule, or regulation prohibiting private schools from establishing multiple-occupancy restrooms and requires such entities to pay for attorney fees and costs incurred by a private school for a valid defense.

This bill contains an emergency clause.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

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SOURCES OF INFORMATION

Department of Elementary and Secondary Education

Attorney General's Office

Office of the Secretary of State

Joint Committee on Administrative Rules

Hume R-VIII School District

Joplin School District

High Point R-III School District



Julie Morff

Director

March 16, 2026



Jessica Harris

Assistant Director

March 16, 2026