UCLA School of Law
Williams Institute

RESEARCH THAT MATTERS

The Impact of SB 244 on Transgender People in Kansas

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Executive Summary

This report provides information about Kansas S.B. 244, a state law enacted in 2026 that imposes restrictions on the use of restrooms in public buildings and invalidates state driver's licenses and birth certificates that display gender identity rather than sex assigned at birth.

In this report, we discuss populations impacted by the law and some of its policy ramifications. Key findings include:

- There are nearly 30,000 people aged 13 and older who identify as transgender and live in Kansas.
- An estimated 3,300 transgender adults living in Kansas are likely affected by the driver's license portion of S.B. 244.
- Approximately 3,100 transgender adults born in Kansas are likely affected by the birth certificate portion of the law.
- S.B. 244 is likely to exacerbate barriers to voting for transgender people in Kansas.
  - Kansas has a law requiring photo ID for voting.
  - Prior to the enactment of S.B. 244, we estimate at least 8,400 people did not have an ID with their correct name and gender on it.
  - S.B. 244 is likely to increase the number of people who do not possess an ID that matches their name, gender, and appearance.
- The law's restroom restrictions have the potential to affect any transgender person physically present in Kansas.

Background

An estimated 29,700 people aged 13 and older identify as transgender and live in Kansas.[1] This includes an estimated 22,400 adults and 7,300 youth aged 13-17 who identify as transgender.[2]

Transgender people in Kansas report experiencing discrimination. Among 2022 U.S. Trans Survey (USTS) respondents living in Kansas at the time of the survey (aged 16 and older), 12% of those who had ever had a job reported ever being fired or losing a job due to their gender identity or expression.[3] In the year prior to the survey, 19% of Kansas respondents who had a job experienced mistreatment from their employer, and 17% reported being harassed, physically attacked, or sexually assaulted at work.[4] Of Kansas respondents who visited or used services at a place of public accommodation in the year prior to

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[1] Jody L. Herman & Andrew R. Flores, Williams Inst., How Many Adults and Youth Identify as Transgender in the United States? (2025), https://williamsinstitute.law.ucla.edu/wp-content/uploads/Trans-Pop-Update-Aug-2025.pdf.

[2] *Id.* This accounts for 1% of all adults and 3.4% of youth aged 13-17 in the state.

[3] The 2022 U.S. Trans Survey is the largest survey sample of transgender people in the United States to date, with a sample of 92,329 people aged 16 and older. For details about the methods, see Sandy E. James et al., Nat'l Ctr. Transgender Equal., Early Insights: A Report of the 2022 U.S. Transgender Survey 13 (2024), https://transequality.org/sites/default/files/2024-02/2022%20USTS%20Early%20Insights%20Report_FINAL.pdf. Additional analyses of 2022 USTS data completed by the authors. Among all respondents to the USTS, 11% of those who had ever had a job reported ever being fired or losing a job.

[4] *Id.* Among all respondents to the USTS, 18% of those who had lost a job reported mistreatment from their employer and 16% reported being harassed, physically attacked, or sexually assaulted (16%).

the survey, and reported that staff there knew they were transgender, 20% reported being denied equal treatment, harassed, or physically attacked when accessing services at those places.[5]

Kansas law protects against discrimination based on "race, religion, color, sex, disability, national origin or ancestry" in employment, housing, or public accommodations.[6] The law does not explicitly address discrimination on the basis of sexual orientation or gender identity. However, the Kansas Human Rights Commission (KHRC) announced in 2020 that, subsequent to the Supreme Court's decision in *Bostock v. Clayton County,* it would begin interpreting the meaning of the word "sex" to include "allegations [of] discrimination based on LGBTQ and all derivates of 'sex'" for the purposes of enforcing nondiscrimination protections in these areas.[7] In 2023, the Kansas Legislature enacted S.B. 180, which adjusted the definition of "sex" for the purpose of interpreting Kansas laws to apply only to "biological sex" as determined at birth based on reproductive anatomy,[8] but did not explicitly address the state's nondiscrimination law or the KHRC's interpretation.[9]

The Kansas Legislature also recently adopted laws that restrict health care access and the participation of transgender youth in certain aspects of public life. These laws include a ban on gender-affirming care for transgender youth, a ban on Medicaid coverage for such care,[10] and a restriction on sports participation for transgender youth.[11]

Kansas S.B. 244

The Kansas Legislature enacted S.B. 244 — over the veto of Governor Laura Kelly — on February 18, 2026.[12] The law consists of three main provisions: one addressing the use of public restrooms; another addressing Kansas driver's licenses; and another addressing birth certificates issued in Kansas.[13] Upon the successful override of the Governor's veto, the law became effective immediately.[14]

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[5] *Id.* Among all respondents to the USTS who visited or used services at a place of public accommodation in the year prior to the survey, and reported that staff there knew they were transgender, 17% reported that they were denied equal treatment, harassed, or physically attacked when accessing service at those places.

[6] Kansas Act Against Discrimination, Kan. Stat. Ann.§§ 44-1001 et seq (2026).

[7] *Kansas Human Rights Commission Concurs with the U.S. Supreme Court's Bostock Decision*, Kan. Hum. Rts. Comm'n. (Aug. 21, 2020), http://www.khrc.net/pdf/Kansas%20Human%20Rights%20Commission%20Concurs%20with%20the%20US%20Supreme%20Court%20Decision%20in%20Bostock%20v%20Clayton%20County.pdf.

[8] 2023 Kan. Ch. 84 (S.B. 180), codified at Kan. Stat. Ann. § 77-207 (2026) (§ (a): "(1) An individual's "sex" means such individual's biological sex, either male or female, at birth; (2) a "female" is an individual whose biological reproductive system is developed to produce ova, and a "male" is an individual whose biological reproductive system is developed to fertilize the ova of a female…"). In this brief, we will use the term "sex assigned at birth" to refer to this concept broadly.

[9] The authors could not find a definitive statement as to whether S.B. 180 supersedes the KHRC interpretation of the Kansas Act Against Discrimination. However, in the fiscal note attached to the introduced version of the bill, the Kansas Division of the Budget stated that KHRC had determined that the bill would have no fiscal impact on the operations of the agency. *See Fiscal Note for SB 180 by Senate Committee on Public Health and Welfare*, Kan. Div. of Budg. (Feb. 13, 2023), https://kslegislature.gov/b2023_24/bills/download/?apn=b2023_24/ds_docs_li/fisc_note_sb180_00_0000/fisc_note_sb180_00_0000.pdf.

[10] Help Not Harm Act, 2025 Kan. Ch. 1, codified at Kan. Stat. Ann §§ 65-28,137 *et seq.,* (2026).

[11] Kan. Stat. Ann. § 60-5603 (2026).

[12] House Substitute for S.B. 244, 2025-2026 Leg., Reg. Sess. (Kansas 2026) (hereinafter "S.B. 244"); Press Release, Gov. Laura Kelly, Gov. Laura Kelly Vetoes Poorly Drafted Legislation (Feb. 13, 2026), https://www.governor.ks.gov/Home/Components/News/News/920/56.

[13] *Id.*

[14] Morgan Chilson, *House Overrides Veto: Bathroom Bill That Limits Access to Kansas Facilities Will Become Law*, Kansas Reflector (Feb. 18, 2026), https://kansasreflector.com/2026/02/18/house-overrides-veto-bathroom-bill-limiting-access-to-kansas-facilities-will-become-law/.

Pursuant to S.B. 180, "sex" is defined under Kansas law by anatomical features at birth as determined by reproductive function, and is considered unchangeable.[15] S.B. 244 creates a new section of the law, placing the burden on "the governing body, or chief administrative officer if no governing body exists" of each public building to "take every reasonable step to ensure that an individual does not enter a multi-occupancy private space that is designated for use only by individuals of the opposite sex."[16] The law also creates a system in which private citizens may report violations to the state Attorney General, who is empowered to commence an investigation of the alleged violation.[17] Upon notification of a violation by the Attorney General, governing bodies and administrators have 15 days to cure the violation and avoid a penalty.[18] Penalties that governmental entities may incur for uncured violations include fines ranging from $25,000 for a first instance to $125,000 for every subsequent instance.[19] Ongoing violations accumulate at the rate of one violation for each day the violation is not addressed.[20]

The law also places a burden on individuals to use only facilities that match their sex assigned at birth. While the law permits a first violation to be addressed with a written notice, a second violation incurs a civil penalty of $1,000, and a third or subsequent violation is punishable as a class B misdemeanor.[21] Additionally, this section of the law creates a new cause of action. If an individual is "aggrieved by the invasion of such individual's personal privacy or is otherwise harmed by a violation of this section by an individual of the opposite sex," they may seek damages against that person in court, including actual or liquidated damages in the amount of $1,000 in addition to declaratory and injunctive relief.[22]

The second component of this bill repeals the right of transgender people to obtain an updated driver's license from the state that matches their gender identity.[23] Prior to this bill, Kansas law permitted residents to obtain a driver's license with an "M" or "F" marker to match their gender identity upon submission of the required documentation, even if that marker was different from their sex assigned at birth.[24] A formal policy reflecting this option was in effect from at least 2011.[25] However, after the enactment of S.B. 180, the state's sex definition law, Attorney General Kris Kobach initiated a lawsuit to compel the state Department of Revenue (which issues driver's licenses) to stop providing transgender Kansans with licenses that match their gender identity if it is inconsistent with their sex assigned at birth.[26] Upon the passage of S.B. 244, all licenses issued that are inconsistent with a person's sex as assigned at birth were explicitly invalidated, and individuals previously issued such licenses must now apply for a new license.[27]

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[15] Kan. Stat. Ann. § 77-207(a)(1-2); *supra* note 8.

[16] *Id.*

[17] *Id.* at §§ 1(e)-(f.)

[18] *Id.* at § 1(f)(3)(C).

[19] *Id.* at § 1(d); *See also Id.* at § 1(f)(4).

[20] *Id.*

[21] *Id.* at § 1(h).

[22] *Id.* at § 1(h)(1).

[23] *Id.* at § 3 (to be codified at KSA 8-234a).

[24] *See* State ex rel. Kobach v. Harper, 65 Kan. App. 2d 680, 696 (2025) ("the status quo has been to allow the person's gender classification on their driver's license to differ from their biological sex assigned at birth. The KDOR has been allowing this process since 2007, through 5 governors and at least 16 different legislative sessions.").

[25] *See* Compl. ¶ 78, Doe v. State of Kansas, No. DG-2026-CV-000112, (Douglas County District Ct. 2/26/2026) ("In 2011, KDOR adopted the formal policy that remained in place until 2025").

[26] *See* State ex rel. Kobach v. Harper, 65 Kan. App. 2d 680 (2025).

[27] *See Gender Reclassification*, Kans. Dep't. of Revenue, https://www.ksrevenue.gov/dovgender.html (last visited July 20, 2026).

The third component of this law addresses birth certificates. Pursuant to a 2019 Consent Judgment in *Foster v. Anderson*, the Kansas state agencies consented to issue amended birth certificates that reflected an individual's gender identity upon request and submission of certain documentation.[28] However, after the passage of S.B. 180 in 2023, Attorney General Kobach sought leave to invalidate the Consent Judgment.[29] S.B. 244 now formally and explicitly imposes the requirement that all birth certificates must reflect sex as assigned at birth, and invalidates birth certificates that were issued pursuant to the Consent Judgment or otherwise inconsistent with the new law.[30] Much like holders of updated driver's licenses, holders of amended birth certificates must apply for a new birth certificate reflecting their sex as assigned at birth.

Kansas S.B. 244 has already been challenged in at least two lawsuits.[31] A motion to consolidate those lawsuits was granted on August 17, 2026.[32] In consolidating the cases, a Kansas State District Court judge granted a preliminary injunction to one of the plaintiffs, restoring her driver's license temporarily because the Kansas Department of Revenue followed improper procedure when invalidating it under S.B. 244.[33] The injunction in the case does not stop Kansas from enforcing the law against anyone other than this specific plaintiff, and the court declined to rule on the subject matter of the case.

In summary, the law restricts restroom use based on sex assigned at birth, provides several mechanisms for compliance and enforcement of that restriction, and prevents state agencies from issuing gender-concordant[34] identity documents to transgender Kansans pursuant to the state's sex definition bill, S.B. 180.

Impact of the Law

Access to Restrooms

Access to a restroom is a fundamental necessity — and an intrinsic part of participation in public life. Yet research shows that many transgender people avoid public restrooms because of fear of problems they may experience when using them, such as harassment or being physically attacked. Among Kansas respondents to the 2022 USTS, 63% reported that in the past year they had either sometimes (47%) or always (16%) avoided using a restroom, such as in public, at work, or at school, because they were afraid of confrontations or other problems.[35] Additionally, 75% of those who said that others could always, usually, or sometimes tell that they were transgender reported always or sometimes avoiding public restrooms. In contrast, 47% of those who said that others can rarely or never tell that they are

[28] *See* Consent Judgment, Foster vs. Andersen, No. 2:18-cv-02552-DDC-KGG (D.C. Kan. June 21, 2019).

[29] *See* Brief in Support of Motion for Relief From Judgment, Foster v. Stanek, No. 2:18-cv-02552-DDC-KCG (D.C. Kan. June 23, 2023)); *See also* Sharon Bett, *How Far Does the Kansas Constitution Go in Protecting Bodily Autonomy and Dignity*, State Ct. Rep. (May 18, 2026), https://statecourtreport.org/our-work/analysis-opinion/how-far-does-kansas-constitution-go-protecting-bodily-autonomy-and.

[30] S.B. 244, § 2 (to be codified at KSA 2025 Supp. 77-207 (Supplemental to the Uniform Vital Statistics Act)).

[31] *See* Petition, Daniel Doe and Matthew Moe v. Kobach, et al, No. DG-2926-CV-000112 (Kan. Douglas Cty. Dist. Ct. Feb. 26, 2026); Verified Petition, Jamie Michelle Miller v. Koback et al., No. DG-2026-CV-000237 (Kan. Douglas Cty. Dist. Ct. April 24, 2026).

[32] *See* Journal Entry and Memorandum Decision Regarding July 29, 2026 Hearing on Motions and Consolidation, Daniel Doe and Matthew Moe v. Kobach, et al, No. DG-2926-CV-000112/Jamie Michelle Miller v. Koback et al., No. DG-2026-CV-000237 (Kan. Douglas Cty. Dist. Ct. Aug. 17, 2026).

[33] *Id.*

[34] We use the term "gender-concordant" in this report to mean that the document aligns with the individual's gender identity, expression, or appearance.

[35] Early Insights: A Report of the 2022 U.S. Transgender Survey, *supra* note 3. Additional analyses of 2022 USTS data completed by the authors.

transgender reported avoiding public restrooms.[36] Avoiding restrooms when one needs to use them can have an impact on physical health. Of Kansas respondents to the 2022 USTS who sometimes or always avoided restrooms, 90% reported some type of physical impact, such as pain or discomfort, avoiding eating or drinking, and urinary tract infections, among other impacts.[37]

S.B. 244 requires everyone in Kansas to use the public restroom (or other sex-separated space, such as a locker room) that matches the sex they were assigned at birth.[38] This requirement extends not only to every transgender person living in the state, but any person physically present in Kansas, even if just passing through. If it appears that a transgender person is in the wrong restroom, or if using a restroom exposes a person's transgender status, this may put them in harm's way. For example, analysis of data from the 2022 USTS suggests that negative incidents, such as being denied access when trying to use a restroom or verbal harassment when using a restroom, are more likely to occur when transgender people who are living their day-to-day lives according to their gender identity use the restroom of their sex assigned at birth.[39] Although not limited to public restrooms, a separate analysis of data from the same study found a correlation between perceived visibility as transgender and increased physical attacks among respondents.[40] A different study using a sample (n=3,673) of transgender and/or nonbinary youth aged 13 to 17 found that respondents who were denied access to a gender-concordant restroom or locker room in school were more likely to report having experienced sexual assault over the past 12 months (36%), compared to those whose access was not restricted (26%).[41]

Access to Updated ID Documents

Another critical impact of S.B. 244 is that it invalidates the driver's licenses of transgender Kansas residents who have a gender marker that does not match the sex they were assigned at birth. Using data from the 2022 USTS, we can estimate the approximate impact of this law on adult transgender Kansans. In the 2022 USTS, 71% of adult respondents residing in Kansas reported that they had been issued a driver's license.[42] We assume these licenses were issued by the State of Kansas. Of those, 21% had changed the gender marker on their driver's license.[43] Applying these percentages to the transgender adult population of Kansas (22,400), we estimate that about 15,900 transgender adults currently reside in Kansas and have Kansas-issued driver's licenses. Of those, about 3,300 Kansans have changed their gender marker and are likely affected by the law. These numbers are likely a conservative estimate because they do not include transgender Kansans under the age of 18 who are likely affected by the law. Furthermore, the law would proactively prevent transgender Kansans from updating their driver's license or birth certificate to match their gender identity in the future.

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[36] *Id.*

[37] *Id.*

[38] S.B. 244, 2025-2026 Leg., Reg. Sess. (Kan. 2026) (Sec 1 (b)).

[39] Jody L. Herman, Andrew R. Flores, & Elana Redfield, Williams Inst., Safety and Privacy in Public Restrooms and Other Gendered Facilities 4 (2025), https://williamsinstitute.law.ucla.edu/publications/safety-in-restrooms-and-facilites/.

[40] Jordan Grasso & Ilan Meyer, Williams Inst., Physical Attacks Against Transgender Adults in the United States 3 (2026), https://williamsinstitute.law.ucla.edu/publications/physical-attacks-trans-adults/.

[41] Gabriel R. Murchison, et al., *School Restroom/Locker Room Restrictions and Sexual Assault Risk Among Transgender Youth*, 143 Pediatrics e20182902 (2019). Data analyzed were part of a large sample (n=17,112) web-based study of LGBTQ youth aged 13 to 17 called the LGBTQ Teen Study.

[42] Early Insights: A Report of the 2022 U.S. Transgender Survey, *supra* note 3. Additional analyses of 2022 USTS data completed by the authors.

[43] *Id.*

S.B. 244 also invalidates the birth certificates of transgender people who had received an amended sex marker under previous policies. Using 2022 USTS data, we estimate that 0.9% of transgender adults were born in Kansas.[44] This finding is similar to the percentage of the U.S. population that resided in Kansas as of 2025 (0.9%).[45] Ninety-four percent (94%) of adult 2022 USTS respondents born in Kansas reported they have a birth certificate.[46] Of these, 17% had changed the gender on their birth certificate.[47] Using the most recent estimates of the transgender population (about 2.1 million adults), we estimate that 3,100 transgender adults born in Kansas had obtained amended birth certificates prior to the enactment of S.B. 244 and are likely affected by the law.

Potential Impact on Health, Safety, and Well-Being

Transgender people report barriers and discrimination due to having to use identity documents that do not match their gender identity or expression. This is at least partly attributable to the fact that mismatched identification documents can "out" a person as transgender, exposing them to violations of privacy, humiliation, and risk of harassment, denial of services, and violence.[48] For example, in the 2022 USTS survey, 22% of respondents from Kansas, aged 16 and older, who had shown IDs with a name or gender that did not match their presentation reported negative experiences, such as being harassed, denied services, and/or attacked.[49] More specifically, 17% reported being verbally harassed, 12% were denied services or benefits, 3% were asked to leave a location or establishment, and 0.3% were assaulted or attacked.[50] Inaccurate IDs can also create barriers to activities in daily life, such as travelling. For example, in the 2015 USTS, respondents were more likely to report that TSA officers questioned the name or gender on their IDs if they had not updated the gender marker on their driver's license (26.0%) or passport (17.6%), compared to those who had corrected the gender markers on their driver's license (8.9%) or passport (6.0%).[51] Recent research has found that such discrimination related to identity documents that don't match a person's gender presentation can lead to psychological distress.[52]

Conversely, identification documents that match the gender identity or expression of transgender people ("concordant" documents) have been associated with improvements in mental health and well-being. For example, in a recent systematic review of the relationship between legal gender recognition and health outcomes, a meta-analysis of three studies from the United States, Canada, and New Zealand found that possessing gender-concordant identity documents was associated with a 25% reduction in

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[44] *Id.*

[45] *How Many People Live in Kansas?*, USAFacts.org, https://usafacts.org/answers/how-many-people-live-in-the-us/state/kansas/ (last visited July 21, 2026).

[46] Early Insights: A Report of the 2022 U.S. Transgender Survey, *supra* note 3. Additional analyses of 2022 USTS data completed by the authors.

[47] *Id.*

[48] See, e.g., Ayden I. Scheim, et al., *Legal Gender Recognition and the Health of Transgender and Gender Diverse People: A Systematic Review and Meta-Analysis*, 378 Soc. Sci. Med. 118147 (2025).

[49] Early Insights: A Report of the 2022 U.S. Transgender Survey, *supra* note 3. Additional analyses of USTS data completed by the authors. Among all respondents to the USTS, 23% reported negative experiences when showing inaccurate ID.

[50] *Id.*

[51] Jody Herman & Kathryn O'Niell, Williams Inst., Gender Marker Changes on State ID Documents 7 (2021), https://williamsinstitute.law.ucla.edu/wp-content/uploads/Gender-Markers-Jun-2021.pdf.

[52] Jae A. Puckett, et al. *Legal Gender Affirmation, Psychological Distress, and Physical Health Issues: Indirect Effects via Enacted Stigma*, 21 Sex Rsch. & Soc. Pol. 1112, 1117 (2024).

the odds of suicide ideation among transgender people.[53] Findings from the same meta-analysis also demonstrated that having updated the gender marker to reflect a person's gender identity on all of their documents was associated with a 47% reduction in the odds of serious psychological distress.[54]

Potential Impact on Economic Security

Transgender people also experience economic disparities, which may be exacerbated by the implementation of the law. Research using national data from the 2020 and 2021 Behavioral Risk Factor Surveillance System ("BRFSS") found that transgender people had substantially higher rates of poverty compared to non-LGBT people.[55] A separate study analyzing data from the 2015 BRFSS found that national rates of employment for transgender people (47%) were significantly lower than rates for non-transgender people (58%) and found lower incomes among transgender people.[56] Similar patterns are reflected in Kansas. More than a third (36%) of 2022 USTS respondents from Kansas, aged 16 and older, were living in poverty, 36% had experienced homelessness at some point in their lives, and 11% had experienced homelessness in the past year.[57] Although the data sources are not directly comparable, an analysis by the U.S Census Bureau of Current Population Survey data from 2020, 2021 and 2022 found that an average of nine percent (9%) of Kansans (of any age) were living in poverty during that time.[58] In 2022, approximately 0.08% of Kansans (of any age) were documented as homeless during the Department of Housing and Urban Development's annual point-in-time count.[59]

Policies affecting legal recognition of gender identity on identity documents may contribute to these economic disparities. For example, one study examining 2015 USTS data found that transgender respondents who lived consistently according to their gender identity but who were perceived by others as transgender reported lower incomes.[60] Similarly, an analysis of BRFSS data from 2014-2019 and state birth certificate policies found that improved access to concordant identity documents (through removal

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[53] Ayden I. Scheim, et al., *Legal Gender Recognition and the Health of Transgender and Gender Diverse People: A Systematic Review and Meta-Analysis*, 378 Soc. Sci. Med. 118147, 10 (2025).

[54] *Id.*

[55] Bianca D.M. Wilson, et al., Williams Inst., LGBT Poverty in the United States 1-2, 5 (2023), https://williamsinstitute.law.ucla.edu/publications/lgbt-poverty-us/.

[56] Klavs Ciprikis, Damien Cassells, & Jenny Berrill, *Transgender Labour Market Outcomes: Evidence from the United States*, 27 Gender, Work & Org. 927, 1384 (2020); *See also* Lawrence Stacey, *A Data Portrait of Cisgender, Transgender, and Gender-Nonconforming Populations in the United States: A Research Note*, 61 Demography 1267 (2024).

[57] Early Insights: A Report of the 2022 U.S. Transgender Survey, *supra* note 3. Additional analyses of USTS data completed by the authors.

[58] Emily A. Shrider & John Creamer, U.S. Census Bur. Poverty in the United States: 2022 47 (Table B-5, Number and Percentage of People in Poverty by State Using a 3-year Average 2020, 2021, and 2022), https://www.census.gov/content/dam/Census/library/publications/2023/demo/p60-280.pdf.

[59] Analysis by authors. HUD reports that 2,375 individuals were reported as homeless in the 2022 point-in-time count. Tanya de Sousa, et al., Dep't. of Housing and Urban Dev., The 2022 Annual Homelessness Assessment Report (AHAR) to Congress 97 (2022), https://www.huduser.gov/portal/sites/default/files/pdf/2022-AHAR-Part-1.pdf (Appendix: Kansas). The Kansas Division of the Budget published certified analysis from the Census Bureau showing the population, in 2022, as 2,913,805 people. *Kansas Certified Population Data: 2025 Certified Kansas Population by County*, Kans. Div. of the Budg. (July 1, 2023), https://budget.kansas.gov/population/. Dividing these figures results in .000815, or 0.08%. However, these figures do not specify age, meaning that the percentage of Kansans experiencing homelessness estimated here would apply to individuals of all ages. The percentage of USTS respondents from Kansas only includes ages 16 and older.

[60] Matthew Shannon, *The Labour Market Outcomes of Transgender Individuals,* 77 Lab. Econ. 102006, 7 (2022) ("Compared with their reference group counterparts, MTFs who have socially transitioned to women, but do not pass, have incomes which are 15% lower. Similarly, FTMs who have socially transitioned to men, but do not pass, have incomes which are 12% lower than their reference group, on average.").

of surgical requirements) increased employment among transgender men in the U.S.[61] Assuming these patterns hold true for transgender Kansans, mismatched identification documents, which may "out" a person as transgender, have the potential to affect economic and labor market outcomes for transgender people in the state.

Potential Impact on Voting and Political Participation

Previous research has shown that mismatches between gender identity or expression and the sex marker on a government ID are a potential factor in voting.[62] Evidence shows that transgender people in states with more barriers to obtaining gender-concordant ID are significantly less likely to possess an accurate birth certificate or driver's license.[63] One study looking at the relationship between state-level gender change laws and voting laws found that transgender people were more likely to encounter problems voting in states that both restricted the ability of transgender people to change their ID and had strict voter ID laws.[64]

The state of Kansas has enacted what researchers from the National Conference of State Legislatures have categorized as a "strict" voter ID law.[65] Kansas law requires in-person voting and a government-issued photo identification document to vote on a regular ballot.[66] Voters who do not satisfy ID requirements submit a provisional ballot and provide a valid form of ID before the meeting of the county board of canvassers following the election.[67] The board ultimately reviews the provided documents and, if it determines that the ID satisfies Kansas law, orders that the provisional ballot be counted.[68]

Based on what we know about the relationship between ID change policies, voter ID laws, and voting experiences, Kansas law likely creates barriers to voting for transgender people. Using 2022 USTS data, Williams Institute scholars estimate that 14,300 transgender Kansans will be eligible to vote in the November 2026 general election.[69] Of those, approximately 59%, or 8,400 people, will not have a government-issued photo ID with their correct name and gender at the time of the 2026 election.[70] Furthermore, the data used in that analysis were collected prior to the enactment of S.B. 244. Since S.B. 244 is likely to result in fewer transgender people with gender-congruent identification, the law is likely to further exacerbate the existing voting barriers for transgender people in Kansas.

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[61] Samuel Mann, *Transgender Employment and Gender Marker Laws*, 73 Lab. Econ 102072, 6 (2021) ("the removal of […] restrictions to change the gender marker on identification documents has an economically significant positive impact in increasing the proportion of FtM transgender people that are employed").

[62] *See generally* Will Tentindo, et al., Williams Inst., The Potential Impact of Voter Identification Laws on Transgender Voters (2026), https://williamsinstitute.law.ucla.edu/wp-content/uploads/Trans-Voter-ID-Sep-2026.pdf

[63] Jody L. Herman & Kathryn K. O'Neill, Williams Inst., Gender Marker Changes On State ID Documents: State-level Policy Impacts (2021), https://williamsinstitute.law.ucla.edu/publications/gender-marker-policies/.

[64] Dakota Strode, Tenaya Storm, and Andrew R. Flores, *Transgender and Gender-Diverse People Disproportionately Report Problems While Trying to Vote Compared to Cisgender People*, 87 J. of Pol. 823, 1201, 1202 (2025).

[65] *See Voter ID Laws,* Nat'l. Conf. of State Leg. (April 26, 2026), https://www.ncsl.org/elections-and-campaigns/voter-id#table-2; Kan. Stat. Ann. § 25-2908 (identifications requirements for voting); § 25-1122 (advanced ballots); and § 25-3002(b)(8)(2026) (canvassing); *See also* Kan. Stat. Ann. § 8-1324(g)(2)(2026) (general requirements for identification).

[66] Kan. Stat. Ann. § 25-2908 (2026).

[67] Kan. Stat. Ann. § 25-2908; Kan. Stat. Ann. § 25-409 (2026) (procedure for provisional ballots in case of insufficient identification).

[68] *Id.*

[69] The Potential Impact of Voter Identification Laws on Transgender Voters, *supra* note 66, at 18.

[70] *Id*. (for details on how this number was determined, see *Sources and Methods,* 23-25).

Conclusion

Kansas S.B. 244 is a comprehensive law affecting the participation of transgender people in public life. The bill restricts access to public restrooms, invalidates previously issued identity documents and prevents transgender people from updating them in the future, and institutes rigid new restrictions that will affect many transgender people living in Kansas, born in Kansas, or passing through Kansas. Research shows that using a restroom that does not match a person's gender identity or expression can increase safety risks for transgender people. Research also shows that use of ID documents that don't match a person's gender identity or expression can result in discrimination across multiple domains of public life. This same body of research also suggests that S.B. 244 will have secondary consequences, such as negatively affecting the economic conditions, labor participation, and mental health of transgender people. Furthermore, barriers to identification can contribute to voting challenges in states with strict ID requirements, which could potentially disenfranchise voting-eligible transgender people in Kansas.

Methods and Limitations

We utilized data from the 2022 U.S. Trans Survey for some of the findings presented in this report. The 2022 U.S. Trans Survey is the largest survey sample of transgender people in the United States to date, with a sample of 92,329 people aged 16 and older. For details about the 2022 USTS methods, see "Early Insights: A Report of the 2022 U.S. Transgender Survey," available at ustranssurvey.org. Although the U.S. Trans Survey yielded a large sample (n=92,329), the sample was drawn using non-probability sampling. This means the findings may not be representative of the transgender U.S. or Kansas population overall. Although not nationally representative, some findings from the smaller 2015 USTS (n=27,715) have been found to be similar to those from nationally representative surveys.[71] Here we assume the 2022 USTS sample provides results similar to what would be found in the population. We used sample weights designed for the USTS sample based on known national transgender population characteristics (age, race, education, and region) from the CDC's Behavior Risk Factor Surveillance System. These weights were applied for state-level analyses for Kansas. To the extent that the transgender population of Kansas differs from the overall characteristics of the transgender population nationally, the use of these national weights for Kansas may introduce some bias to the results.

[71] Jamie L. Feldman, et al., *Health and Health Care Access in the US Transgender Population Health (TransPop) Survey*, 9 Andrology 1707 (2021).

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