

KANSAS OFFICE *of*
REVISOR *of* STATUTES

LEGISLATURE *of* THE STATE *of* KANSAS
Legislative Attorneys transforming ideas into legislation.

300 SW TENTH AVENUE ▪ SUITE 24-E ▪ TOPEKA, KS 66612 ▪ (785) 296-2321

MEMORANDUM

To: The House Committee on Agriculture and Natural Resources

From: The Office of Revisor of Statutes

Date: 3/6/2025

Re: S.B. 89, as Introduced: Authorizing the animal health commissioner to adopt rules and regulations to administer the poultry disease control act and to establish an annual participation fee for participation in the national poultry improvement plan, a certification fee for persons performing testing and diagnostic services and a testing fee per visit to each location participating in the plan.

Senate Bill 89 would amend the poultry disease control act to authorize the animal health commissioner to adopt rules and regulations to administer such act and to establish certain fees related to such act.

The national poultry improvement plan (plan) was established in 1935 to diminish the spread of certain poultry diseases and to promote the testing and monitoring for such diseases.

Section 1 would amend the definitions section of the poultry disease control act to remove the definition of "hatchery" and make technical updates to various definitions.

Section 2 would amend K.S.A. 2-910 to authorize the commissioner of animal health to adopt rules and regulations for the purpose of establishing annual fees for plan participation and obtaining certification regarding testing and diagnostic services related to pullorum-typhoid or fowl typhoid.

Section 3 would amend K.S.A. 2-911 to require that poultry shipped into Kansas must be from a source that participates in the plan and meets all the requirements of the plan or equivalent requirements. It would also remove certain references to hatcheries.

Section 4 would amend K.S.A. 2-912 to require each person participating in the plan to pay the commissioner an annual plan participation fee not to exceed \$50.

Section 5 would amend K.S.A. 2-913 to require that all poultry taken to public exhibition in Kansas come from a flock that participates in the plan and is compliant therewith, has negative pullorum-typhoid and fowl typhoid tests within 90 days of such exhibition or is included in a surveillance program approved by the commissioner.

Section 6 would amend K.S.A. 2-914 to require each person performing any testing or poultry disease diagnostic services pursuant to the act pay an annual certification fee not to exceed \$50. Such certification would expire on September 30 following its issuance. Additionally, any person who requests such testing or diagnostic services related to pullorum-typhoid or fowl typhoid to pay a fee of not to exceed \$100 per visit to each location participating in the plan. SB 89 also provides that any such testing or diagnostic services done by anyone other than the commissioner, the commissioner's authorized agent or a person certified under this act would not be sufficient to support participation in the plan.

Section 7 would amend K.S.A. 2-915 to provide that the commissioner may revoke participation in the plan for failure to comply with the poultry disease control act, any plan requirements or repeated outbreaks of pullorum-typhoid or fowl typhoid.

S.B. 89 would become effective upon publication in the statute book.