



A Touchstone Energy® Cooperative 

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## **SENATE COMMITTEE ON JUDICIARY**

### **Opposition, Written-Only Testimony SB 61 – Landowner’s Attorney Fees in Eminent Domain Cases**

**January 30, 2025**

**Presented by:  
Reagan McCloud, Director of Government Relations  
Kansas Electric Cooperatives, Inc.**

Chairwoman Warren, Vice Chair Titus, Ranking Member Corson, and members of the Senate Committee on Judiciary, thank you for the opportunity to submit opposition testimony on behalf of Kansas Electric Cooperatives, Inc. (KEC) and our members concerning SB 61. I am Reagan McCloud, and I serve as Director of Government Relations for KEC, the statewide service association for 29 member, not-for-profit cooperatives providing electric service in 103 of 105 Kansas counties.

Consumer-members are the owners of the electric cooperatives. As such, co-ops are uniquely connected to the communities they serve. Members are the local farmers and ranchers, small business owners, friends and neighbors. We understand that property ownership is not simply holding a patch of ground, but rather it is a property right, economic investment, economic engine, family and community history, and often home.

The current eminent domain process is well-defined and there is a well-developed body of law providing additional guidance and parameters on the process. Current law already allows for the relief that the proponents have requested. KSA Sec. 26-509 allows the court to award attorney fees at its own discretion, but it is not mandatory. SB 61 would add a new dimension to that process by replacing “may allow” with “shall allow” language. This will lead to additional legal costs borne by the utility, which are passed on to consumer-members.

In closing, KEC appreciates the opportunity to share its opposition to SB 61 in its current form.

*Reagan McCloud*

Director of Government Relations  
Kansas Electric Cooperatives, Inc.