

February 3, 2025

The Honorable Leo Delperdang, Chairperson  
House Committee on Energy, Utilities and Telecommunications  
300 SW 10th Avenue, Room 582-N  
Topeka, Kansas 66612

Dear Representative Delperdang:

**SUBJECT: Fiscal Note for HB 2109 by House Committee on Energy, Utilities and Telecommunication**

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2109 is respectfully submitted to your committee.

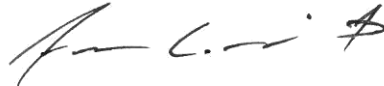
HB 2109 would authorize public utilities and law enforcement agencies to enter into utility pole attachment agreements to allow for the installation of law enforcement equipment on structures located within the public right-of-way and exempt public utilities from civil liability under the Kansas Tort Claims Act. The bill would also authorize public utilities to assess reasonable fees or charges to recover the actual costs to attach, access, operate, maintain, or remove the law enforcement equipment.

The Citizens' Utility Ratepayer Board (CURB) indicates that the bill would increase expenditures by \$3,000 in FY 2026 from fee funds due to the anticipated increase in workload. CURB notes that the Kansas Corporation Commission (KCC) could also be required to review and approve the utility agreements prior to usage. The bill would increase expenditures to CURB from hours billed with in-house staff related to docket work to create, review, and approve these contracts. CURB states the enactment of the bill would also increase revenues to its fee funds by \$3,000 from fees paid by public utilities for individual dockets.

The KCC and the Kansas Highway Patrol indicate that the enactment of the bill would not have a fiscal effect on the agencies. Any fiscal effect associated with HB 2109 is not reflected in *The FY 2026 Governor's Budget Report*.

The Kansas Association of Counties indicates that the enactment of the bill would increase expenditures for the cost of equipment and maintenance; however, the amount would be negligible. The League of Kansas Municipalities indicates that the enactment of the bill would have a fiscal effect on their operations, but the amount cannot be estimated.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt" with a stylized flourish at the end.

Adam C. Proffitt  
Director of the Budget

cc: Lynn Retz, Kansas Corporation Commission  
Shonda Rabb, Citizens Utility Ratepayer Board  
Wendi Stark, League of Kansas Municipalities  
Jay Hall, Kansas Association of Counties  
Sherry Macke, Kansas Highway Patrol