

February 10, 2025

The Honorable Ken Rahjes, Chairperson
House Committee on Agriculture and Natural Resources
300 SW 10th Avenue, Room 112-N
Topeka, Kansas 66612

Dear Representative Rahjes:

SUBJECT: Fiscal Note for HB 2255 by House Committee on Agriculture and Natural Resources

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2255 is respectfully submitted to your committee.

HB 2255 would amend current law pertaining to weights and measures of every commercial kind. The bill would define “device used for weighing, measuring or both” for any device that dispenses refined or blended gasoline or diesel fuel as well as charging ports and connectors for charging electric vehicles. The bill would increase the minimum fee per invoice to \$70 from current law of \$50. The bill would define “dispensing device” and authorize licensed service companies and city or county departments of weights and measures to remove rejection tags for testing or repair purposes and require a replacement rejection tag to include a report to the Secretary of Agriculture if the device cannot be repaired. The bill would outline a procedure to obtain a license for testing and sealing dispensing devices and establish fees for licensure and continuing education for requirements of weights, measures, or both. The bill would allow for a calibration certificate in lieu of a test and would require testing and sealing of grain elevator equipment by a licensed technical representative, an authorized city or county representative, or the Secretary of Agriculture annually, or every three years if greater than 250-pound capacity. The bill would require reports to be furnished to the owner or operator and the Secretary of Agriculture within ten days and require any inaccurate equipment to be withdrawn from use until repaired to meet tolerances and specifications according to statute with copies kept by service companies for electric vehicle supply equipment.

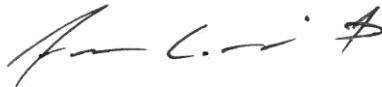
Estimated State Fiscal Effect			
	FY 2025	FY 2026	FY 2027
Expenditures			
State General Fund	--	--	--
Fee Fund(s)	--	\$349,461	\$393,461
Federal Fund	--	--	--
Total Expenditures	--	\$349,461	\$393,461
Revenues			
State General Fund	--	--	--
Fee Fund(s)	--	\$135,422	\$135,422
Federal Fund	--	--	--
Total Revenues	--	\$135,422	\$135,422
FTE Positions	--	--	--

The Kansas Department of Agriculture indicates that enactment of the bill would have a measured effect on expenditures and revenues for agency operations. With the increase in testing fees, estimated revenues would increase by \$135,422 from FY 2024; however, the agency estimates about 8.0 percent less small weight test kits may be received for testing than were received in FY 2024 because out of state users are anticipated to be more likely to utilize labs closer to home if the price is similar. The agency would not expect a significant decrease regardless of the price for precision and heavy weight mass echelons as other state labs are limited in their ability to perform certain echelon testing and certifications. The Department estimates that enactment of the bill would increase expenditures by \$349,461 for FY 2026, including \$148,286 for lab personnel, \$111,310 for lab overhead, \$15,993 for lab equipment, \$22,118 for lab maintenance, \$17,254 for weights and measures equipment, and \$34,500 for weights and measures supplies. The Department estimates that enactment of the bill would increase expenditures by \$393,461 for FY 2027, including \$148,286 for lab personnel, \$111,310 for lab overhead, \$15,993 for lab equipment, \$22,118 for lab maintenance, \$61,254 for weights and measures equipment, and \$34,500 for weights and measures supplies. The Department anticipates that the bill would have a stable long-term effect for the duration of the life of the legislation by providing some additional income to meet the needs of the weights and measures program, provide a more secure and adequate source of funding for rent and other overhead costs for the state metrology lab, and ensure lab equipment is adequately serviced and replaced as needed without the need to utilize other fee funds not designated for this purpose.

Kansas Department of Transportation, Kansas Corporation Commission, and League of Kansas Municipalities indicate that enactment of HB 2255 would not have a fiscal effect on their operations. Any fiscal effect associated with HB 2255 is not reflected in *The FY 2026 Governor's Budget Report*.

The Kansas Association of Counties indicates that enactment of the bill would change weights and measures and could have some effect on counties, particularly those with several grain elevators. The effect, if any, would vary by county.

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: Lita Biggs, Department of Agriculture
Wendi Stark, League of Kansas Municipalities
Jay Hall, Kansas Association of Counties
Lynn Retz, Kansas Corporation Commission
Brendan Yorkey, Department of Transportation