

March 2, 2025

The Honorable Virgil Peck, Chairperson
Senate Committee on Agriculture and Natural Resources
300 SW 10th Avenue, Room 144-S
Topeka, Kansas 66612

Dear Senator Peck:

SUBJECT: Fiscal Note for SB 235 by Senate Committee on Agriculture and Natural Resources

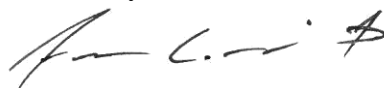
In accordance with KSA 75-3715a, the following fiscal note concerning SB 235 is respectfully submitted to your committee.

SB 235 would make it unlawful to sell, offer for sale, use or distribute seeds coated with a pesticide that contains a neonicotinoid on and after January 1, 2028, unless ordered by the Governor under certain conditions.

The Office of the Attorney General indicates that enactment of the bill would not have a direct fiscal effect; however, it anticipates an evaluated risk the legislation would face litigation, incurring estimated costs of \$500,000 from the State General Fund in FY 2026 and FY 2027 for defending the bill. The Office notes that a lawsuit against the U.S. Environmental Protection Agency over a similar regulation is ongoing.

The Department of Agriculture indicates that enactment of the bill would have no measured fiscal effect on operations. The bill would not designate the Department to have an enforcement role if enacted because it would not specifically reference the seed or pesticide programs. If enacted, the bill would only explicitly involve the Secretary of the Department in consultation with the Governor on suspending the prohibition. Any fiscal effect associated with SB 235 is not reflected in *The FY 2026 Governor's Budget Report*.

Sincerely,



Adam C. Proffitt
Director of the Budget

cc: Lita Biggs, Department of Agriculture
Matt Bingesser, Office of the Attorney General