

SESSION OF 2025

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2095

As Amended by House Committee on
Agriculture and Natural Resources

Brief*

HB 2095, as amended, would amend the Kansas Groundwater Exploration and Protection Act (Act) to establish a pump installation contractor license, update continuing law regarding water well contractor licenses, and update provisions related to oversight of these licenses by the Kansas Department of Health and Environment (KDHE) and the Secretary of Health and Environment (Secretary).

Kansas Groundwater Exploration and Protection Act

The bill would add to the purpose of the Act to provide for the establishment of standards for pump installation and repair and require each licensed pump installation contractor to keep and transmit to the Secretary a pump information report.

Pump Installation Contractor License

The bill would establish a pump installation contractor license for operators in the state.

Definitions

The bill would define “pump installation contractor” to mean:

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

- Any person who installs, repairs, or maintains well pumps, pitless well adapters, or units and pumping equipment at the water well location, including all wiring and all construction or repair involved in making entrance to the water well that involves breaking the sanitary well seal.

The bill would state that “pump installation contractor” would not include:

- A person installing a pump on land that is owned by such person and is used for domestic uses at such person’s abode, but only when the pump is installed in compliance with prescribed minimum installation standards or a person who installs a pump for a pump installation contractor at such contractor’s direction and under their supervision.

Pump Installation Contractor Examination and License Requirements

The bill would specify the qualifications required of each candidate for a pump installation contractor to take an examination and receive a license to include:

- Familiarity with the following:
 - Kansas water laws and rules and regulations that relate to water well construction, reconstruction, and treatment as adopted by the secretary;
 - Pump installation;
 - Replacement for and repair of water wells, including any necessary components of the water well system;
 - Installation of water treatment devices, water pressure tanks, pressure switches, pressure relief valves, and pitless well adapters or unities for water wells; and

- A minimum of one year of experience working under a licensed pump installation contractor.

Reporting and Record-keeping Requirements

The bill would require any pump installation contractor to keep and to furnish a record of the pump installation within 30 days after installation of each pump in such form as the Secretary may require. The record would be required to include:

- The name and address of the landowner and the location and legal description of the well, including the latitude and longitude of the well;
- The intended use of the well water;
- Pump information, including the date that the pump was installed, the type of pump installed, horsepower, voltage, pump capacity in gallons per minute, and the drop pipe diameter and length; and
- Any other data as the Secretary reasonably requires.

Water Well Contractor License Updates

The bill would update law regarding water well contractor licenses.

Definitions

The bill would define “water well contractor” to mean any person who constructs, reconstructs, plugs, or treats a water well.

The bill would state “water well contractor” would not include:

- A person constructing, reconstructing, plugging, or treating a water well that is owned by such person and issued by such person for domestic uses as such person's place of abode, but only when the well is constructed, reconstructed, plugged, or treated in compliance with prescribed minimum well standards; or
- A person who performs labor or services for a water well contractor at the contractor's direction and under the contractor's supervision.

Water Well Contractor Examination and License Requirements

The bill would add to the current qualifications required of each candidate for a water well contractor to take an examination and receive a license to also include:

- Knowledge of current drilling methods, including, but not limited to, cable-tool, hollow-stem auger, mud-rotary, direct-push, sonic, air rotary, and sand bailing;
- Familiarity with pump installation; familiarity with replacement and repair for water wells, including any necessary components of the water well system; and familiarity with installation of water treatment devices, water pressure tanks, pressure switches, pressure relief valves, and pitless well adapters or units for water wells; and
- A minimum of two years of experience working under a licensed water well contractor.

Reporting and Record-keeping Requirements

The bill would require any water well contractor to keep and to furnish a record of each water well that such contractor constructs, reconstructs, or plugs within 30 days after

completion of constructing, reconstructing, or plugging such water well in such form as the Secretary may require. The record would be required to include:

- The name and address of the landowner and the location and legal description of the well, including the latitude and longitude of the well [*Note:* Name and address is currently in statute.];
- The description and depth of any encountered geological materials;
- The depth at which water is encountered, if possible;
- The depth and diameter of the borehole;
- If a gravel pack is used, the type of material, size of particles, and depth of such gravel pack;
- The depth and thickness of grout or other sealing material, if applicable;
- Blank casing information, including the length, outside diameter, wall thickness, and type of material of such blank casing, if applicable;
- Screen information, including the length, outside diameter, wall thickness, and type of material of such screen, if applicable;
- The casing joint or connection type, if applicable;
- The static water level of the completed well, if applicable [*Note:* This is currently in statute.];
- The water level reached when pumped at the designated rate, including the rate of pumping and amount of time pumped, if applicable;

- The yield of the water well in gallons per minute or gallons per hour, if applicable;
- Information on any pump installed, if applicable, including the date that the pump was installed, the type of pump, horsepower, voltage, pump capacity in gallons per minute, and the drop or column pipe diameter and length;
- The intended use of the well water;
- Certification that the well was disinfected, if applicable;
- Identification of any permit required for the water well, including any state, county, or municipal permit;
- The name and signature of the water well contractor and license number of the name and phone number of the individual as specified in KSA 82a-1203(h)(1);
- The date that the construction, reconstruction, or plugging, as applicable, was completed; and
- Any other data that the Secretary reasonably requires.

Changes to Authority

Examinations

The bill would authorize the Secretary to administer the examinations for water well contractor applicants and pump installation contractor applicants. The bill would add the option for an online examination.

Application Fees

The Secretary would establish by rules and regulations an application fee for the filing of an application. These fees would be deposited to the credit of the Water Program Management Fund.

License Term Length

The term of all licenses under the provisions of the Act would be for two years beginning on July 1 of each even-numbered year through June 30 of the following even-numbered year.

License Fees

The bill would authorize the Secretary to adopt rules and regulations on a biennial basis to establish reasonable license fees for pump installation contractors and water well contractors. The pump installation contractor license would not apply to those exempted by the bill.

The fees established by the Secretary would be in an amount that, when taken together with any other available funds, will allow for the proper administration of the Act.

The bill would require the fees collected by the Secretary to be remitted to the State Treasurer to the credit of the Water Program Fund.

Kansas Administrative Procedure Act

The bill would clarify that the Secretary could deny, modify, revoke, or suspend any license issued after providing notice and an opportunity for a hearing in accordance with the provisions of the Kansas Administrative Procedure Act.

Water Quality Analysis Reporting and Records

The bill would require a water quality analysis of any well to be provided to the Secretary, upon request, within 60 days after completion of each well unless an extension of time is granted by the Secretary. If an extension of time is granted, the water quality analysis would be provided to the Secretary within the extended period of time. A Kansas-certified laboratory would conduct the water quality analysis.

The Secretary would transmit each well record and a copy of the water quality analysis to the Kansas Geological Survey (KGS) to be kept on file. The KGS would be required to make each record and analysis publicly available.

Fees Related to Violations

Any fees associated with penalties of violations of this Act would be credited to the Water Program Management Fund.

Statutory Changes

The bill would reorganize sections of the Act and make technical and conforming changes.

[*Note:* The Act was passed in 1973; most of the laws within the bill have not been amended since 1979 or 1989. As such, statutory style and wording has changed considerably since those years, which required a significant amount of updates.]

The bill would also repeal KSA 82a-1218, regarding an exemption of application of penalties to sand and well point wells.

Background

The bill was introduced by the House Committee on Water at the request of Representative Vaughan on behalf of the Kansas Groundwater Association.

House Committee on Agriculture and Natural Resources

In the House Committee hearing, **proponent** testimony was provided by the Director of the Bureau of Water, KDHE, and three operators, one of whom is a past president of the Kansas Groundwater Association. The proponents stated that the bill would help mitigate possible contamination by pump installations or water well plugging or capping, which may not conform to best practices of the field with regard to sanitation and disinfection procedures.

No other testimony was provided.

The House Committee amended the bill to clarify language regarding licensed water well contractors and licensed pump installation contractors and to make conforming amendments throughout.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, KDHE indicated enactment of the bill would increase fee fund revenue by \$40,000 beginning in FY 2027, if rules and regulations related to the new license fees could be revised and implemented by that time. The agency notes enactment of the bill would not result in any additional expenditures and states its is adequately staffed to handle any new associated workload. The Kansas Water Office reports enactment of the bill would not have a fiscal effect on the agency. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2026 Governor's Budget Report*.

Water; Water Program Management Fund; pump installation contractor; water well contractor; licensure