

February 3, 2014

The Honorable Pat Apple, Chairperson  
Senate Committee on Utilities  
Statehouse, Room 224-E  
Topeka, Kansas 66612

Dear Senator Apple:

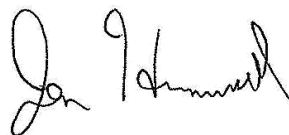
SUBJECT: Fiscal Note for SB 327 by Senate Committee on Utilities

In accordance with KSA 75-3715a, the following fiscal note concerning SB 327 is respectfully submitted to your committee.

SB 327 would amend the Underground Utilities Damage Prevention Act, by prohibiting an excavator from being held responsible for damage to a municipality's underground facilities if the municipality has exempted itself from the provisions of the Act. An exception would be made if the damage was due to gross and wanton negligence on the part of the excavator.

According to the Kansas Association of Counties and the League of Kansas Municipalities, passage of SB 327 could affect municipalities that have exempted themselves from the Underground Utilities Damage Prevention Act as the municipalities would bear the financial responsibility for any damage done by an excavator that was not due to gross and wanton negligence.

Sincerely,



Jon Hummell,  
Interim Director of the Budget

cc: Larry Baer, League of Municipalities  
Melissa Wangemann, Association of Counties