

January 29, 2016

The Honorable Sharon Schwartz, Chairperson
House Committee on Agriculture and Natural Resources
Statehouse, Room 149-S
Topeka, Kansas 66612

Dear Representative Schwartz:

SUBJECT: Fiscal Note for HB 2491 by House Committee on Agriculture and Natural Resources

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2491 is respectfully submitted to your committee.

Current law requires the owner of a water right or permit to file an annual water use report. If a report is not filed, a civil penalty of up to \$250 can be imposed. HB 2491 would allow the owner to have someone else file the report and would increase the maximum civil penalty for failing to file to \$1,000. In addition, failure to file could result in the Chief Engineer issuing an order to indefinitely suspend all water use under that water right or permit until the report had been filed.

According to the Kansas Department of Agriculture, there are approximately ten cases each year of owners who do not file their annual water use reports and do pay the \$250 penalty. Passage of HB 2491, which would increase the penalty to \$1,000, would initially result in additional revenues to the agency of \$7,500. The agency expects the number of cases of failure to file to decrease over time, however, because of the increased fine amount. Any fiscal effect associated with HB 2491 is not reflected in *The FY 2017 Governor's Budget Report*.

Sincerely,



Shawn Sullivan,
Director of the Budget

cc: Justin Law, Agriculture