

KANSAS OFFICE of  
**REVISOR of STATUTES**

LEGISLATURE of THE STATE of KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

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**MEMORANDUM**

**To:** House Committee on Agriculture and Natural Resources

**From:** The Office of Revisor of Statutes

**Date:** 02/06/2024

**Re:** H.B. 2608; Authorizing the animal health commissioner to adopt rules and regulations to administer the poultry disease control act and to establish an annual participation fee not to exceed \$50 for participation in the national poultry improvement plan, a certification fee not to exceed \$50 for persons performing testing and diagnostic services and a testing fee not to exceed \$100 per visit to each location participating in the plan.

The national poultry improvement plan was established in the 1930's to diminish the spread of certain poultry diseases and to promote the testing and monitoring for such diseases.<sup>1</sup> Under current Kansas law, each hatchery within the state must be designated as a "national plan hatchery" by the animal health commissioner of the Kansas department of agriculture or meet equivalent requirements for pullorum and fowl typhoid control.<sup>2</sup> Each hatchery supply flock within Kansas must be designated as "U.S. pullorum-typhoid clean" by the commissioner or must meet equivalent requirements.<sup>3</sup> Additionally, no poultry may be shipped into Kansas other than from a source that is designated "U.S. pullorum-typhoid clean" under the plan or that meets equivalent requirements.<sup>4</sup>

Section 1 would grant the commissioner authority to adopt rules and regulations for the administration and enforcement of the poultry disease control act.

Section 2 would require each person participating in the plan to pay the commissioner an annual plan participation fee not to exceed \$50.

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<sup>1</sup> Find general information about the plan here: (<https://www.poultryimprovement.org/default.cfm>)

<sup>2</sup> K.S.A. 2-911 ([https://www.ksrevisor.org/statutes/chapters/ch02/002\\_009\\_0011.html](https://www.ksrevisor.org/statutes/chapters/ch02/002_009_0011.html))

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

Section 3 would require each person performing any testing or poultry disease diagnostic services pursuant to the act to pay an annual certification fee not to exceed \$50. Any person who requests testing or poultry disease diagnostic services pursuant to act would be required to pay the commissioner a fee not to exceed \$100 per visit to each location participating in the plan. Language would be added to state that using services performed by someone not certified or authorized to do so under the act shall not be considered sufficient to support a national plan hatchery or U.S. pullorum-typhoid clean designation pursuant to the plan.

Section 4 would state that designation under the plan could be revoked for failure to pay the annual plan participation fee within a 60-day grace period.

H.B. 2608 would become effective upon publication in the statute book.