



Kansas Grain and Feed Association
Kansas Agribusiness Retailers Association
816 SW Tyler, Topeka, Kansas 66612 | 785.220.5211

To: House Committee on Judiciary
From: Randy Stookey, Senior Vice President of Government Affairs
Date: January 31, 2024
RE: **Proponent, Joint, Written Testimony on HB 2510, authorizing a party to obtain discovery of the existence and content of an agreement for third-party funding of litigation.**

Chairperson Humphries and members of the committee, thank you for the opportunity to provide testimony in support of House Bill 2510. This testimony is submitted jointly on behalf of Kansas Grain and Feed Association (KGFA), and Kansas Agribusiness Retailers Association (KARA).

KGFA is the state association of the grain receiving, storage, processing and shipping industry in Kansas. With a membership exceeding 950 Kansas business locations, KGFA represents 99% of the commercially licensed grain storage in the state.

KARA is a state-wide agribusiness industry trade association comprising over 700 members companies that supply inputs to Kansas farmers, including pesticides, herbicides, seed, fertilizer, fuel, and agronomic services.

We understand the intent of House Bill 2510 is to amend the code of civil procedure to expand the scope of discovery to authorize parties to obtain discovery of the existence and content of any third-party agreement under which any person, other than an attorney representing a party, has agreed to pay expenses directly related to prosecuting the legal claim and has a contractual right to receive compensation that is contingent on, and sourced from, any proceeds. Such information would not, by reason of disclosure, be admissible as evidence at trial.

Pesticide and herbicide products play a vital role in modern production agriculture in protecting crops that provide food, fuel, and fiber to a growing global population. Approved for use by the U.S. Environmental Protection Agency following years of rigorous testing for any potential negative effects on human health, animal health, and the environment, these products are essential for agricultural productivity.

Unfortunately, our industry increasingly faces meritless litigation from organizations opposing the use of these important products. Filed in both state and federal court, such lawsuits cause economic harm to our member companies, and the broader agricultural sector, which are critical to the economic health of our state.

Often, this litigation is funded by well-financed third-party national organizations. As House Bill 2510 offers greater transparency in the legal process and represents good public policy, our associations support the measure.

Thank you for considering our testimony in support of House Bill 2510. We respectfully request that the committee pass the bill out favorably.