Kansas Grain and Feed Association
Kansas Agribusiness Retailers Association
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March 10, 2026

To: House Committee on Judiciary
From: Randy Stookey, Senior Vice President of Government Affairs
Re: **Proponent, Written, Joint Testimony on SB 463, prohibiting certain persons from recovering damages in certain civil actions**

Chairperson Humphries and members of the committee, thank you for the opportunity to provide testimony in support of Senate Bill 463. 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. With membership exceeding 950 Kansas business locations, KGFA represents 99% of the commercially licensed grain storage in the state. KARA is a statewide agribusiness trade association comprised of hundreds of member companies that supply agricultural inputs and services to Kansas farmers.

Senate Bill 463 would prohibit certain persons from recovering damages in certain civil actions and would create requirements for actions involving negligent security. The bill would prohibit persons who engaged or participated in wrongful conduct from bringing an action for negligence or collecting damages for negligent conduct related to such wrongful conduct. As our members own and operate heavy industrial facilities, we appreciate the opportunity to provide testimony in support of this bill.

Our members strongly support legislation that would limit civil action for negligence from persons engaged in wrongful conduct, such as criminal trespass. Industrial sites are not like ordinary public spaces. They contain complex machinery, hazardous materials, restricted zones, and ongoing operations that are inherently dangerous to untrained, unauthorized individuals. Liability protections for property owners in cases of trespasser injury are both reasonable and necessary for public safety and the responsible functioning of critical infrastructure.

Industrial facilities invest heavily in safety, but that safety framework is built around trained employees and authorized contractors—people who receive orientation, protective equipment, and ongoing instruction. Trespassers enter without training, lack proper gear, do not necessarily understand warning signs, and are often unaware of the inherent risks. Expecting a facility to be financially liable for injuries resulting from unauthorized, illegal entry forces property owners to shoulder responsibility for conditions they cannot anticipate or control. Liability protections acknowledge that no amount of posted warnings or perimeter security can fully eliminate the dangers posed by trespassing in an industrial environment.

Industrial facilities operate on tight compliance frameworks: workplace safety rules, environmental requirements, and federal/state regulations. Yet, even with extensive safeguards, any injury—even one caused by trespassing—can generate costly lawsuits.

For these reasons, we support this measure, which represents sound public policy and would make Kansas a more affordable place to live and conduct business. Thank you for considering our testimony in support of Senate Bill 463. We respectfully request that the committee pass the bill out favorably.