

SESSION OF 2007

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2268

As Amended by Senate Committee on
Federal and State Affairs

Brief*

HB 2268 would add provisions to the Kansas Consumer Protection Act (KCPA) dealing with inspections for wood destroying insects. Any person performing inspections in connection with a real estate transaction or a real estate loan must hold a valid certification pursuant to Kansas Pesticide Law, which authorizes the person to use or supervise the use of restricted use pesticides in the control of wood destroying insects.

Violations of these requirements would be a deceptive act or practice under the KCPA.

Inspections performed by employees of the Kansas Department of Agriculture would be exempt from the Kansas Pesticide Law.

Background

Conferees who testified in support of the bill included Jeff Wells, President Elect, Kansas Pest Control Association; Luke Bell, Director of Government Relations, Kansas Association of Realtors; and Dale Lambley, Assistant to the Secretary of the Department of Agriculture.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The Senate Committee amended the bill to clarify that violations would apply to any person performing inspections and performing inspections under the Kansas Pesticide Law would not include employees of the Kansas Department of Agriculture.

The fiscal note indicates that the Department of Agriculture would absorb any additional expenditures generated by the bill.