

SESSION OF 2008

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2824**

As Recommended by House Committee on  
Transportation

**Brief\***

HB 2824 would amend the Railroad Leasing Act. The bill would amend the definition of "lease," an agreement between a railroad and a tenant, to include track leases when the railroad is a Class II or a Class III railroad as defined by federal regulations.

**Background**

Conferees who testified in favor of the bill included: Duane Simpson, Kansas Grain & Feed Association/Kansas Agribusiness Retailers Association; Terry Heidner, Kansas Department of Transportation; and Leslie Kaufman, Kansas Cooperative Council. Conferees noted that the bill clarifies the definition of a "lease" to make it clear that track leases fall under the act. It was also noted that if the lessees have no recourse to challenge the reasonableness of the lease rate they would be placed in a unfavorable economic situation. The amendment would grant the track lessees the same access to recourse as land lessees currently are afforded. No other conferees testified on the bill.

According to the fiscal note, the Kansas Department of Transportation indicates that passage of HB 2824 would have no fiscal effect on the state budget.

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\*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>