

SESSION OF 2010

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2418**

As Amended by Senate Committee on  
Judiciary

**Brief\***

HB 2418, as amended, would amend provisions of the Carbon Dioxide Reduction Act regarding the liability of the state. Except as permitted by the Kansas Tort Claims Act, no provision of the Carbon Reduction Act could impose on the Kansas Corporation Commission, any of its employees, or the State of Kansas any liability or responsibility to pay damages resulting from the leak or discharge of carbon dioxide from any carbon dioxide injection well or underground storage site.

In addition, the bill would provide that the Kansas Corporation Commission (KCC) could not be prohibited from plugging, replugging, repairing, or remediating any carbon dioxide injection well or underground storage in an emergency situation.

**Background**

Representative Carl Holmes, Chairperson of the House Energy and Utilities Committee, testified in support of the bill in the House Committee on Judiciary as a clarification of his position regarding the underground storage of carbon dioxide. A conferee from the KCC offered neutral testimony on the bill.

The House Committee added a provision that the KCC could not be prohibited from plugging, replugging, repairing, or

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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>

remediating any carbon dioxide injection well or underground storage in an emergency situation.

The proponent in the Senate Committee was Representative Carl Holmes. A representative of the KCC offered neutral testimony on the bill.

The Senate Committee on Judiciary amended the bill by moving the provision adopted by the House into its own section. The Senate Committee preserves the House Committee amendment.

The fiscal note on the original bill indicated no fiscal effect.