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Janet Stanek, Secretary

Laura Kelly, Governor

**House Committee on Water  
Proponent Verbal Testimony on HB 2462  
William Carr, Director of the Bureau of Water  
Kansas Department of Health and Environment  
January 22, 2026**

Chair Minnix and Members of the Committee:

The Kansas Department of Health and Environment (KDHE) stands in support of HB 2462. This bill amends K.S.A. 65-162a to add terms and definitions for direct and indirect potable reuse and amends K.S.A. 65-171m to add a requirement that KDHE adopt regulations allowing for direct and indirect potable reuse by July 1, 2028. The Department agrees that such regulations need to be developed and that there is great value in systems to be able to reuse wastewater to conserve and extend available water supply. KDHE intends to develop these regulations but has reservations about available resources and timelines. HB 2462 contains a deadline of July 1, 2028, which is inherently ambitious for this project, but also would contain the lengthy administrative regulatory process. In order to attempt to meet this deadline, KDHE would need specialized staff and additional financial resources to speedily accommodate the development of re-use regulations.

Typically, federal authorities develop drinking water standards and guidelines using scientific research and pilot studies which state regulatory agencies can modify to fit unique state conditions and circumstances. However, there are no federal standards for direct and indirect potable reuse, so the heavy lift for needed research and evaluation is left to state programs that wish to develop such regulations. There are four states that have developed direct potable reuse regulations – California, Colorado, Florida, and New Mexico. There are other states that have developed guidelines, are in the process of developing regulations, or only regulate potable reuse projects on a case-by-case basis.

Developing potable and indirect potable reuse is best accomplished by a science-based process that involves extensive stakeholder engagement, risk assessments, and development of clear treatment standards. The Department estimates that two additional staff positions will be needed as well as multiple consultant contracts to provide for the research, risk evaluations, and validations needed to adequately develop these regulations and standards.

This legislation will increase expenditures by KDHE, as development of the regulations will require additional staff and consultant contract costs. The legislation does not authorize any enhancements to revenue to offset these expenditures. While the Department fully supports the need for the development of direct and indirect potable reuse regulations, it is very concerned that the requirements of the proposed statutory amendments would not be achievable without additional resources and an extended time frame to conduct adequate research and to provide for administrative processes for regulation adoption.

Thank you for your time and attention to this matter. I am happy to answer any questions.