



Kansas Grain and Feed Association
Kansas Agribusiness Retailers Association
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To: Senate Committee on Judiciary
From: Randy Stookey, Senior Vice President of Government Affairs
Date: February 5, 2026
Re: **Proponent, Written, Joint Testimony on SB 413, prohibiting counsel from suggesting an amount of damages for noneconomic loss in civil actions.**

Chairperson Warren and members of the committee, thank you for the opportunity to provide testimony in support of Senate Bill 413. 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 state-wide agribusiness industry trade association comprised of hundreds of member companies that supply agricultural inputs and services to Kansas farmers.

Pesticide and herbicide products play a vital role in modern production agriculture in protecting crops that provide food, fuel, and fiber to a growing global population. Approved for use by the U.S. Environmental Protection Agency following years of rigorous testing for any potential negative effects on human health, animal health, and the environment. Unfortunately, these products have become the target of litigation.

Additionally, commercial trucking accidents are often the target of litigation, and our members use commercial trucks every day to transport grain and agricultural inputs across the state. Such lawsuits cause economic harm to our members and the broader agricultural sector.

In litigation, *jury anchoring* is an identified tactic where the plaintiff's lawyer suggests an exorbitant, often unsubstantiated award amount, which then serves as a baseline for a potential jury award. This questionable practice often generates substantial jury awards for noneconomic damages that are much larger than would have otherwise been granted. These inflated jury awards result in ever-increasing costs of home, auto, and business liability insurance for all other Kansans.

Senate Bill 413 proposes a remedy to this problematic litigation tactic by prohibiting legal counsel from offering the following to the jury to suggest an award amount for noneconomic damages: a specific dollar amount; a range of dollar amounts; a mathematical formula or units of time; or a reference to objects or values lacking any relevant connection to the facts proved by the evidence.

As Senate Bill 413 promotes fairness and transparency in the legal process, represents sound public policy, and provides an approach to making Kansas a more affordable place to live and conduct business, our associations stand in support of the measure.

Thank you for considering our testimony in support of Senate Bill 413. We respectfully request that the committee pass the bill out favorably.