



**Neutral Testimony Regarding HB 2109
Laura Lutz, Director, Government Affairs, Evergy
For the Senate Committee on Utilities**

March 5, 2025

Thank you, Mr. Chairman and members of the Committee, for the opportunity to comment on House Bill 2109, which exempts public utilities from liability related to law enforcement equipment attached to utility poles.

We were pleased to work with the proponents of the bill who understood our concerns, which were heightened after a claim in Missouri regarding use of law enforcement actions related to use of cameras. Utility concerns center on potential tort claims for invasion of privacy or negligence against a utility that can arise out of the use of cameras to view private property without a warrant by law enforcement. Indemnifying utilities in this regard satisfies our concerns.

It is important to note that law enforcement has had the ability to attach to poles previously, but utilities have limited that access because of liability concerns. HB 2109 solves that dilemma and will once again provide an opportunity for law enforcement to enter into a pole attachment agreement with a utility when necessary.

The bill also provides a utility the ability to assess reasonable fees to recover the cost of attachment, maintenance or removal of the equipment, similar to that of other entities that attach to utility infrastructure.

Again, we appreciate the proponents of the bill addressing our concerns and thank the committee for the opportunity to comment on HB 2109.

www.evergy.com