



Senate Committee on Utilities

Testimony in Support of House Bill 2107- Liability for Wildfire Events

Presented by Eric Stafford, VP of Government Affairs, Kansas Chamber

Thursday, March 6, 2025

Mister Chairman and members of the committee, my name is Eric Stafford, Vice President of Government Affairs for the Kansas Chamber. The Kansas Chamber represents small, medium and large businesses of all industry segments across the state. We appreciate the opportunity to testify today in support of House Bill 2107, which deals with liability for damage caused by wildfires when such fire is caused by a utility.

While wildfires are not as common as other states, they can happen and they can certainly be caused by damaged utility lines. But like any other business, utility companies must be able to operate in their state with a strong but fair legal climate which provides recourse for those damaged, but also protects against excessive verdicts that could bankrupt a company.

HB 2107 accomplishes two key items: First, it establishes the guidelines by which someone suffering damages from a wildfire caused by a public utility may seek recovery. Individuals would need to file a claim within two years of the date of the event (the House clarified the actual date of damage). And if by preponderance of the evidence the plaintiff can show the damage was caused by the utility, may recover economic losses suffered.

Second and just as important, requires the KCC to establish training to assess risk and mitigation techniques. This could go so far as establishing the proper protocol utilities must follow during threat of a fire or an actual fire. If such an unfortunate disaster were to occur, a utility, or multiple utilities would have to determine whether equipment in the area should be turned off. But what if that decision has a consequence somewhere else? The utility could face additional litigation for decisions made in order to help stop or slow the spread of such fire. Again, striking a balance between properly recouping economic losses and protecting against frivolous or excessive claims is important and necessary to avoid an unbalanced legal climate.

In closing, we appreciate the opportunity to testify in support of House Bill 2107, and I'd be happy to answer questions at the appropriate time.