



February 2, 2026

The Honorable Will Carpenter, Chairperson
House Committee on Health and Human Services
300 SW 10th Avenue, Room 112-N
Topeka, Kansas 66612

Dear Representative Carpenter:

SUBJECT: Fiscal Note for HB 2425 by Representative Schwertfeger

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2425 is respectfully submitted to your committee.

HB 2425 would amend the Kansas Food, Drug and Cosmetic Act to ban specific food and color additives in food and drugs. The bill would further consider food and drugs containing synthetic color additives as “adulterated” and implement certain penalties for violations, including a \$500,000 civil penalty for the processing, storage, or distribution of a drug containing certain synthetic color additives. The bill would specifically prohibit using certain additives as ingredients in meals served through school food service programs and only permit the sale of “adulterated” food items as part of school fundraising events during specific times off the school premises. The bill would exempt sellers offering for sale or selling “adulterated” food amounts less than \$5,000 in aggregate per month from the penalty provisions of the bill.

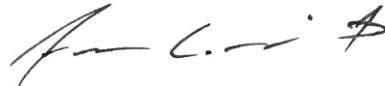
HB 2425 has the potential for increasing litigation in the courts because of the new violation created by the bill. If it does, the Office of Judicial Administration indicates that there would be a fiscal effect on the operations of the court system. However, it is not possible to estimate the number of additional court cases that would arise or how complex and time-consuming they would be. Therefore, a fiscal effect cannot be estimated. In any case, the fiscal effect would most likely be accommodated within the existing schedule of court cases and would not require additional resources. Enactment of the bill could result in an increase in revenue from docket fees and civil penalties and a decrease in supervision fee revenue. The Sentencing Commission estimates that enactment of HB 2425 could increase prison admissions and the number of beds needed, but the total impact would likely be minimal.

The Kansas Department of Agriculture states that no significant fiscal effect is anticipated. However, enactment of the bill could result in more complaints being received by the Food Safety and Lodging program, which would subsequently increase the number of inspections and investigations of those complaints. The agency states that there is also the possibility of needing to determine the aggregate monthly sales revenue of some entities when calculating the civil penalty determinations.

The Kansas Department of Health and Environment, the Kansas Department of Education, and Office of the Kansas Attorney General indicate that enactment of the bill would not have a fiscal effect on operations. Any fiscal effect associated with HB 2425 is not reflected in *The FY 2027 Governor's Budget Report*.

The Kansas Association of School Boards anticipates increased expenditures for school meal programs and enforcement of the ban; however, an exact estimate is not available.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt", followed by a stylized flourish.

Adam C. Proffitt
Director of the Budget

cc: Lita Biggs, Department of Agriculture
Amy Penrod, Department of Health & Environment
Gabrielle Hull, Department of Education
Angie Stallbaumer, Kansas Association of School Boards
Scott Schultz, Kansas Sentencing Commission
Jennifer King, Department of Corrections
Trisha Morrow, Judiciary
Matt Bingesser, Office of the Attorney General