

January 28, 2026

The Honorable Tom Kessler, Chairperson  
House Committee on Federal and State Affairs  
300 SW 10th Avenue, Room 346-S  
Topeka, Kansas 66612

Dear Representative Kessler:

**SUBJECT: Fiscal Note for HB 2439 by House Committee on Federal and State Affairs**

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2439 is respectfully submitted to your committee.

HB 2439 would enact the Kansas Geoengineering and Weather Modification Prohibition Act. The bill would prohibit geoengineering or weather modification activity and authorize the Kansas Department of Health and Environment (KDHE) to enforce such prohibition. The bill would make definitions and establish penalties for violations of the Act. KDHE would be required to establish an email address and online form for the reporting of observed violations, as well as a process to handle the reports and related investigations. Fines for violations would be deposited to the Air Quality Fee Fund within KDHE. The bill would require KDHE to refer reports of observed violations to the Adjutant General, if appropriate. The Secretary of Health and Environment would be authorized to adopt rules and regulations and enter into interagency agreements as necessary to implement provisions of the bill.

Beginning October 1, 2026, HB 2439 would require all operators of public use general aviation airports to report to the Department of Transportation. The bill would outline report requirements and restrictions. The Secretary of Transportation would be authorized to adopt rules and regulations as necessary to implement provisions of the bill.

According to KDHE, enactment of HB 2439 would require an increase of 1.50 positions for FY 2026 and 1.40 positions in future years to meet the primary responsibilities for administering and enforcing the Act. The agency estimates this would increase expenditures by \$142,644 in FY 2026 and \$130,497 in FY 2027. The agency arrived at the estimate by applying a percentage of their FTE to the new work requirements, which are not fully known. KDHE states 20.00 staff positions across three bureaus within the agency would be impacted by the bill requirements. In order to fulfill the requirements of the bill, existing staff would need to spend 5.0 to 15.0 percent more of their time performing the duties specified. The first year would require more time than future years as processes and reports were developed. Cost impacts for vehicle

maintenance, staff travel, and fuel costs assume a 5.0 percent increase from FY 2025 and no additional operating costs for existing employees were assessed for the estimate. KDHE anticipates utilizing fee funds for the additional expenditures related to enactment of the bill. The agency notes that while the bill directs violation fines to the Air Quality Fee Fund, current law restricts use of that fund for purposes of administering the Kansas Air Quality Act.

The Kansas Department of Transportation (KDOT) indicates that enactment of the bill would require additional staffing to monitor reporting and non-compliance by airports. KDOT estimates at least 1.00 position and \$60,000 for salary and benefits would be needed annually to fulfill the requirements of the bill. The agency notes that more staff might be necessary depending on the actual need which would be determined by the amount of activity including oversight, compliance monitoring, and fielding public questions or reports, as well as the potential assistance KDHE may require of KDOT as an aviation subject matter expert. In addition, KDOT estimates \$5,000 would be needed in FY 2027 to develop the initial reporting portal and methodology for reporting. Another \$5,000 would be needed in FY 2027 to develop a training program to ensure the 147 public airports in Kansas were educated on the new requirements.

The Office of Judicial Administration states enactment of HB 2439 could increase the number of cases filed in district courts because it would create a new crime. This could result in more time spent by judicial and nonjudicial personnel processing, researching, and hearing these cases. The Office estimates enactment of the bill could result in the collection of docket fees and fines assessed in those cases filed under the bill's provisions, which would be deposited to the State General Fund and fines that would be deposited into the Air Quality Fee Fund. The bill would not affect other revenues to the Judicial Branch. However, a total fiscal effect cannot be estimated.

According to the Kansas Bureau of Investigation, the Kansas Highway Patrol, and the Kansas Adjutant General's Department, enactment of HB 2439 would not result in a fiscal effect on the operations of any of the respective agencies. Any fiscal effect associated with HB 2439 is not reflected in *The FY 2027 Governor's Budget Report*.

Sincerely,



Adam C. Proffitt  
Director of the Budget

cc: Trisha Morrow, Judiciary  
Sherry Macke, Kansas Highway Patrol  
Amy Penrod, Department of Health & Environment  
Brendan Yorkey, Department of Transportation  
Paul Weisgerber, Kansas Bureau of Investigation  
Beth Visocsky, Office of the Adjutant General