

February 27, 2026

The Honorable Ken Rahjes, Chairperson
House Committee on Agriculture and Natural Resources
300 SW 10th Avenue, Room 112-N
Topeka, Kansas 66612

Dear Representative Rahjes:

SUBJECT: Fiscal Note for HB 2682 by House Committee on Agriculture and Natural Resources

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2682 is respectfully submitted to your committee.

HB 2682 would enact the Kansas Organic Waste Land Application Accountability Act. The bill would be administered by the Secretary of Health and Environment, who would be required to adopt rules and regulations necessary to implement the Act. The bill would require land application permits for land spreaders in order to conduct land applications. The bill would outline the requirements for permit applications and permit holders. The bill would list all restrictions related to the land application of biosolids or organic waste. Land spreaders would be responsible for payment related to any necessary monitoring and testing as specified in the bill. Willful violation of any of the bill provisions would be a class A misdemeanor. The bill would also allow the Secretary or an applicable county to take certain actions for violations. The bill would make related definitions and include a severability clause.

According to the Kansas Department of Health and Environment (KDHE), enactment of HB 2682 would increase State General Fund expenditures by \$700,000 in FY 2027 and \$600,000 in future years. The land application of organic materials is currently addressed by the KDHE Bureau of Waste Management. The agency reports that the Act includes stronger controls of the land application process but does not significantly add to the existing workload of the Beneficial Use – Land Application Program. However, the Act includes land application of biosolids from wastewater treatment plants. The agency states that currently biosolids from lagoon systems are handled by the Bureau of Water and the biosolids from mechanical wastewater treatment facilities are managed by the U.S. Environmental Protection Agency (EPA) in accordance with 40 CFR 503. The agency states there are 725 domestic sewage wastewater treatment facilities that produce biosolids.

To address the additional workload from the inclusion of biosolids land application oversight, the agency estimates that 5.00 additional positions would be needed to implement the program. There would be 2.00 positions allocated to permit application reviews, renewals, and modifications, 2.00

positions allocated to inspections, and 1.00 position for data management to maintain data sharing with the EPA. The agency estimates that the average for salaries and benefits, as well as overhead such as office space, equipment, supplies, and travel costs would be \$120,000 per position for a total of \$600,000. There would be an additional one-time cost of \$100,000 to modify the Kansas Environmental Information Management System to add the biosolids program.

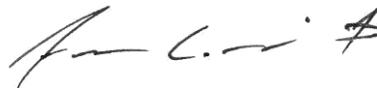
KDHE notes that the bill does not include any fees or authorize the Secretary to establish fees for the permit processing or applicator oversight portions of the program. The bill does specify that the cost of baseline and ongoing groundwater or surface water monitoring shall be paid by the land spreader. The bill also specifies that the land spreader would be responsible for any independent confirmation testing that may be conducted by the agency. Cost recovery for the other aspects of the program was not included in the bill. Funding would need to be appropriated from the State General Fund to operate the program with the inclusion of wastewater treatment facility biosolids.

The Office of Judicial Administration states that the bill could increase the number of cases filed in district court because the bill creates a new crime. This would increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. Since the crime carries a class A misdemeanor penalty, there could also be more supervision of offenders required to be performed by court services officers. The bill could increase the collection of docket fees and civil penalties, which would be deposited into the State General Fund. The collection of supervision fees could also increase which would be deposited in the Correction Supervision Fund. However, the Office cannot determine the total fiscal effect of the bill.

The Kansas Department of Agriculture does not anticipate a fiscal effect as a result of the bill. Any fiscal effect associated with HB 2682 is not reflected in *The FY 2027 Governor's Budget Report*.

The Kansas Association of Counties states that the bill could result in a fiscal effect as the bill authorized counties to investigate complaints, conduct inspections, collect samples, and enforce land application requirements concurrently with KDHE. This would include issuing cease-and-desist orders and imposing civil penalties. Total costs would vary by county and would likely be driven by complaint volume and the extent of local enforcement activity.

Sincerely,



Adam C. Proffitt
Director of the Budget

cc: Trisha Morrow, Judiciary
Lita Biggs, Department of Agriculture
Amy Penrod, Department of Health & Environment
Bruce Chladny, Kansas Association of Counties