

March 10, 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 2780 by House Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2780 is respectfully submitted to your committee.

HB 2780 would create the Kansas Terramation Regulation Act and would authorize the Board of Mortuary Arts to regulate terramation of dead human bodies in the state. Terramation would be defined as the contained, accelerated conversion of unembalmed human remains to soil in a terramation facility, including processing, pulverization, and incorporation of the bone fragments into the soil.

Any operation of a terramation facility would require a license from the Board; however, an exemption would be provided to the University of Kansas Medical Center for terramating remains donated for dissecting, demonstrating, or teaching purposes. The bill would outline the licensing requirements of any terramation facility operator. No dead human body with a potentially hazardous implant could be terramated. The bill would outline procedures for removing any hazardous implants. The bill would prohibit terramation facilities from recycling any metallic remnants, prosthetic implants, or anything else remaining after terramation unless written consent was obtained by the legal next of kin of the decedent.

Any authorizing agent signing a terramation authorization form would be deemed to warrant the truthfulness of any facts on the form, including the identity of the deceased. Any person signing a terramation authorization would be personally liable for any damage resulting from the authorization.

The Board would be required to adopt rules and regulations for the administration and implementation of the Act. The bill would outline requirements for the rules and regulations, including requirements for issuing or renewing licenses for terramation facility operators. Each facility would require a separate terramation license.

The fees and renewal fees for a terramation facility operator's license would be set by the Board through the rules and regulations process, with a maximum fee of \$1,000 for a terramation facility and subsequent renewals. The Board would also set the requirements for any continuing education requirements for the terramation license.

The bill would add references to terramation to many statutory references that also reference cremation, including the statutory definition of a funeral, funeral benefits, funeral establishments, insurance benefits, the prohibition of terramation of unidentified human remains, and the unlawful public demonstration at a funeral where terramation has been completed on a dead human body.

The Board of Mortuary Arts estimates that the enactment of the bill would require one-time costs totaling \$516 in FY 2027, including \$452 for publication fees for its administrative rules and regulations for terramation, as well as \$64 for publication fees for the notice of public hearing for these rules and regulations. Outside of these expenditures, the Board states that the additional workload of regulating potential licensees would be absorbed within the agency's current staffing and budget. Any costs for terramation legal services, including the review of the rules and regulations, would be covered by the agency's existing contract with the Office of Attorney General.

For revenues, the bill would establish two terramation licenses—operator and facility. Because the bill would reference terramation where cremation exists in statute, the Board estimates the biennial license fees would be the same as for crematory operator and facility licenses, currently \$72 and \$775, respectively. However, the Board does not have an estimate of the number of operators and facilities that would apply to become licensed. The Board notes that one of the most recent states to pass a similar law was Minnesota in July 2025. As of February 2026, no licenses in Minnesota have been applied for or issued. The Board also notes that of the new license fees, 10.0 percent would be credited to the State General Fund and 90.0 percent would be credited to the Mortuary Arts Fee Fund.

The Office of Attorney General indicates that the enactment of the bill could have potential litigation from licensing and regulating terramation; however, a fiscal effect cannot be estimated. The Department of Health and Environment indicates the enactment of the bill would require expenditures from the State General Fund totaling \$25,791 in FY 2027 from the requirement to add a terramation to the agency's death registration system. The estimate includes information technology costs of \$25,000 and staff testing time of \$791. These costs would be one-time in FY 2027.

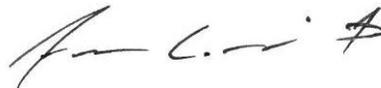
The Department of Corrections and the Insurance Department were contacted by the Division of the Budget, as the agencies were listed in statutes regarding adding terramation where

cremation is currently found; however, both agencies indicate that the bill's enactment would have no fiscal effect.

The Office of Judicial Administration indicates that the enactment of the bill would have the potential for increasing litigation in the courts because adding terramation to the existing class B misdemeanor penalty of unlawful public demonstration at a funeral. 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. In addition, the bill's provision could result in the collection of docket fees and supervision fees, which would be deposited in the State General Fund. However, a fiscal effect for expenditures or revenues cannot be estimated. Any fiscal effect associated with HB 2780 is not reflected in *The FY 2027 Governor's Budget Report*.

The Kansas Association of Counties reports that the enactment of the bill could have a negligible fiscal effect on counties related to zoning or land-use considerations if a terramation facility seeks to locate within a county's jurisdiction. Counties could also experience minor administrative impacts related to death records or coordination with licensed facilities. However, a fiscal effect cannot be estimated.

Sincerely,



Adam C. Proffitt
Director of the Budget

cc: J.W. Carey, Board of Mortuary Arts
Kyle Strathman, Department of Insurance
Jennifer King, Department of Corrections
Amy Penrod, Department of Health & Environment
Matt Bingesser, Office of the Attorney General
Trisha Morrow, Judiciary
Bruce Chladny, Kansas Association of Counties