

February 17, 2026

The Honorable Michael Fagg, Chairperson
Senate Committee on Utilities
300 SW 10th Avenue, Room 548-S
Topeka, Kansas 66612

Dear Senator Fagg:

SUBJECT: Fiscal Note for SB 400 by Senate Committee on Utilities

In accordance with KSA 75-3715a, the following fiscal note concerning SB 400 is respectfully submitted to your committee.

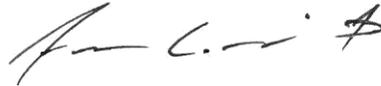
SB 400 would require large load data centers to use closed-loop cooling systems or a heat removal system that is designed for no contact between any fluid that is being cooled or heated and the ambient atmosphere in order to mitigate water consumption. The bill would allow the Attorney General or a city, county, or district attorney to apply to the district court for an injunction, or other appropriate or equitable remedy, to prohibit a person or entity from violating the provisions of the bill.

The Office of Judicial Administration indicates enactment of the bill could increase the number of cases filed in district courts because it allows the Attorney General or a city, county, or district attorney to apply to the court for a temporary or permanent injunction for violations. The court would also be required to hold hearings. This would increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. The bill could also result in the collection of additional docket fees for cases filed under the provisions of the bill which would be deposited into the State General Fund. However, a precise fiscal effect cannot be estimated.

The Office of the Attorney General indicates that the enactment of the bill could result in an increase in expenditures due to future litigation. However, a precise fiscal effect cannot be determined. Any fiscal effect associated with SB 400 is not reflected in *The FY 2027 Governor's Budget Report*.

The Kansas Association of Counties indicates that the enactment of the bill would increase revenues to counties through court fees to enforce the legislation and court costs from violation and investigation of conservation efforts. The League of Kansas Municipalities indicates that the enactment of the bill would not have a fiscal effect on cities.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt" with a stylized flourish at the end.

Adam C. Proffitt
Director of the Budget

cc: Trisha Morrow, Judiciary
Matt Bingesser, Office of the Attorney General
Bruce Chladny, Kansas Association of Counties
Wendi Stark, League of Kansas Municipalities