

SESSION OF 2025

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2255**

As Amended by Senate Committee on  
Agriculture and Natural Resources

**Brief\***

HB 2255, as amended, would change fees for weights and measures inspections, add “electric vehicle supply equipment” to the list of devices that could be regulated by the Kansas Department of Agriculture (KDA), and reorganize portions of Chapter 83 of the *Kansas Statutes Annotated* regarding weights and measures.

***Changes to Weights and Measures Fees (Section 5)***

The bill would update the weights and measures fee schedule chart in statute and increase the fees to the amounts listed in the following chart. [Note: Please see pages 8–9 of the bill for the current fee schedule.]

Calibration Types	Calibration Ranges (Weight Set unless otherwise noted)	Proposed Calibration Fee	Proposed Adjustment Fee
Mass Echelon III (ASTM Class: 5, 6, 7)	Up to 10 lb, up to 5 kg	\$120/set	\$20/pc in the set
Mass Echelon III (NIST Class: F)	Up to 10 lb, up to 5 kg	\$10/pc	\$20/pc

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

<b>Calibration Types</b>	<b>Calibration Ranges (Weight Set unless otherwise noted)</b>	<b>Proposed Calibration Fee</b>	<b>Proposed Adjustment Fee</b>
Mass Echelon III (OIML Class: M1, M1-2, M2, M2-3, M3)	Over 10 lb up to 50 lb, over 5 kg up to 30 kg	\$25/pc	\$50/pc
	Over 50 lb up to 1,250 lb, over 30 kg up to 500 kg	\$35/pc	\$70/pc
	Over 1,250 lb up to 3,000 lb	\$70/pc	\$45/pc
	Weight Cart, 2,500 lb up to 6,000 lb	\$250/pc	\$170/pc
	Weight Cart, over 6,000 lb up to 8,000 lb	\$350/pc	\$225/pc
Mass Echelon II (ASTM Class: 2, 3, 4) (OIML Class: F1, F2)	Up to 1,000 lb, up to 500 kg	\$40/pc	\$80/pc
Mass Echelon I (ASTM Class: 0, 1) (OIML Class: E1, E2)	500 lb, up to 30 kg	\$75/pc	\$75/pc
Volume Echelon II	5 gal	\$70/pc	Due to the calibration procedure, adjustment is included in the cost of calibration.
	Over 5 gal up to 100 gal	\$240/pc	
	Over 100 gal up to 200 gal	\$300/pc	
	Over 200 gal up to 500 gal	\$500/pc	

Calibration Types	Calibration Ranges (Weight Set unless otherwise noted)	Proposed Calibration Fee	Proposed Adjustment Fee
	Over 500 gal up to 1,000 gal	\$900/pc	
	Over 1,000 gal up to 1,500 gal	\$1,200/pc	
	LPG, 20 gal up to 100 gal	\$460/pc	
Volume Echelon I	Up to 5 gal	\$310/pc	\$310/pc
Thermometry Echelon IV	-35 degrees Celsius up to 150 degrees Celsius	\$90/point	\$90/point

[*Note:* According to the KDA, there are different categories for each of the echelons based on the size of weights and the degree of accuracy needed for the weights. For the category of up to 10 pounds, that would apply to scales in grocery stores. The 10 pounds to 50 pounds category would be small feed manufacturing scales that would be used, for example, in pet food manufacturing. Larger weights would include grain cart scales or larger feed manufacturing scales.

Smaller metrology weights come in sets that are in a small box with multiple weights. Larger versions of these weights may be in sets or single weights (pieces or pc). Companies request calibrations to be done by the set or individual pieces. Adjustment fees are a separate charge, as adjustments take time for a metrology lab to complete. Adjustments are made by adding or subtracting lead shot to the weight's cavity.]

In addition, the bill would state that service that is not part of a routine calibration, including, but not limited to, cleaning or repairing a standard or performing non-routine calibration procedures, would be charged at a rate of \$120 per hour.

#### ***Point-of-Sale System (Sections 1 and 10)***

The bill would amend the definition of “point-of-sale system” to include electronic applications, software, and online purchasing systems.

The bill would also make it unlawful to limit, exclude, or otherwise fail to provide access to generic, store brand, or less costly versions of products on electronic and online ordering applications or similar systems unless such items are out of stock or unavailable for in-store purchase.

#### ***Electric Vehicle Supply Equipment (Sections 1, 4, 10, and 15)***

The bill would define “electric vehicle supply equipment” to mean a device with one or more charging ports and connectors for charging electric vehicles. The definition would also include all charging ports and supporting equipment necessary for the operation thereof and the area in the immediate vicinity of the same, including adjacent parking areas and lanes for vehicle ingress and egress.

The bill would add “electric vehicle supply equipment” to the list of devices that could be regulated by the KDA.

#### ***Reorganization of Statutes (New Sections 16–17)***

Currently, Chapter 83 of the *Kansas Statutes Annotated* regarding weights and measures is divided into five articles that contain many similar sections regarding definitions, licensing and regulations, penalties for violations,

administrative procedures, and severability. The bill would consolidate and reorganize these sections into Articles 2 and 5 of Chapter 83 and repeal those sections.

### ***Technical and Conforming Amendments (Throughout)***

The bill would make technical and conforming amendments due to the reorganization of statutes.

### **Background**

The bill was introduced by the House Committee on Agriculture and Natural Resources at the request of the Deputy Secretary of Agriculture on behalf of the KDA.

### ***House Committee on Agriculture and Natural Resources***

In the House Committee hearing, **proponent** testimony was provided by the Deputy Secretary of Agriculture, who stated the regulation of weights and measures was first established in the Articles of Confederation and the *U.S. Constitution*. For several years, the Weights and Measures Program of KDA has run at a deficit from the fees charged by the Program. The KDA has previously requested State General Fund funding to operate the Program, but did not receive those funds. Therefore, the agency is requesting an increase in fees to fund the Program.

Written-only proponent testimony was provided by a representative of the Kansas Cooperative Council.

Neutral testimony was provided by a representative of the Kansas Agribusiness Retailers Association and Kansas Grain and Feed Association.

No other testimony was provided.

The House Committee adopted a technical amendment.

### ***Senate Committee on Agriculture and Natural Resources***

In the Senate Committee hearing, **proponent** testimony was provided by the Deputy Secretary of Agriculture that was substantially similar to the testimony provided to the House Committee.

Written-only proponent testimony was provided by a representative of the Kansas Cooperative Council.

No other testimony was provided.

The Senate Committee amended the bill to:

- Delete New Sections 23–24 that would require electric vehicle supply equipment to be tested and inspected on an annual basis;
- Modify the definition of “point-of-sale system” to include electric applications, software, and online purchasing systems; and
- Make it unlawful to limit, exclude, or otherwise fail to provide access to generic, store brand, or less costly versions of products on electronic and online ordering applications or similar systems unless such items are out of stock or unavailable for in-store purchase.

### **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the KDA indicates that enactment of the bill would have an effect on expenditures and revenues for agency operations.

With the increase in testing fees, estimated revenues would increase by \$135,422 from FY 2024; however, KDA estimates about 8.0 percent fewer small-weight test kits may

be received for testing than were received in FY 2024 because out-of-state users are anticipated to be more likely to utilize labs closer to home if the price is similar.

The KDA would not expect a significant decrease regardless of the price for precision and heavy-weight mass echelons, as other state labs are limited in their ability to perform certain echelon testing and certifications.

The KDA estimates enactment of the bill would increase expenditures by \$349,461 for FY 2026, including \$148,286 for lab personnel, \$111,310 for lab overhead, \$15,993 for lab equipment, \$22,118 for lab maintenance, \$17,254 for weights and measures equipment, and \$34,500 for weights and measures supplies.

The KDA estimates enactment of the bill would increase expenditures by \$393,461 for FY 2027, including \$148,286 for lab personnel, \$111,310 for lab overhead, \$15,993 for lab equipment, \$22,118 for lab maintenance, \$61,254 for weights and measures equipment, and \$34,500 for weights and measures supplies.

The KDA anticipates the bill would have a stable long-term effect for the duration of the life of the legislation by providing some additional income to meet the needs of the Weights and Measures Program, provide a more secure and adequate source of funding for rent and other overhead costs for the State Metrology Lab, and ensure lab equipment is adequately serviced and replaced as needed without the need to utilize other fee funds not designated for this purpose.

The Kansas Department of Transportation and Kansas Corporation Commission indicate enactment of the bill would have no fiscal effect.

Any fiscal effect associated with the bill is not reflected in *The FY 2026 Governor's Budget Report*.

The League of Kansas Municipalities indicates enactment of the bill would have no fiscal effect. The Kansas Association of Counties indicates the bill would change weights and measures and could have some effect on counties, particularly those with several grain elevators. The effect, if any, would vary by county.

Kansas Department of Agriculture; weights and measures; fees; reports; equipment testing; licensure; electric vehicles; equipment repair