

SESSION OF 2026

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2462

As Amended by House Committee of the Whole

Brief*

HB 2462, as amended, would create two definitions related to potable reuse of water, require certain rules and regulations to be adopted, and make technical amendments.

Definitions

The bill would define the following terms:

- “Direct potable reuse” would mean using an advanced treatment processes to produce finished drinking water through the utilization of a water source that contains treated wastewater that has not passed through an environmental buffer; and
- “Indirect potable reuse” would mean the planned delivery or discharge of treated wastewater to an environmental buffer, such as ground or surface waters, for the development of, or as a supplement to, a drinking water supply.

Rules and Regulations

The bill would require the Secretary of Health and Environment to adopt rules and regulations on or before July 1, 2028, that would allow for the direct and indirect potable reuse of treated wastewater.

*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/>

The bill would also prohibit these rules and regulations from requiring prescriptive treatment processes that make the reuse of treated wastewater unaffordable or otherwise unachievable.

Background

The bill was introduced by the House Committee on Water at the request of Representative Pickert.

House Committee on Water

In the House Committee hearing, **proponent** testimony was provided by representatives of the City of Wichita, Kansas WaterReuse Association, and League of Kansas Municipalities, who stated that municipalities are researching all the possible tools to meet current and future needs of water consumers. One possible tool could be the reuse of potable water; however, the State does not currently have any official standards for the reuse of potable water in public water supply systems.

The Director of the Bureau of Water, Kansas Department of Health and Environment (KDHE), also provided proponent testimony, but stated the agency is concerned about the funding that would be needed for staffing and administrative and research needs to fulfill the requirements of the bill, if enacted. [*Note:* The House Committee requested a revised fiscal note from KDHE, which is detailed under “Fiscal Information” below.]

Written-only proponent testimony was provided by representatives of the City of Derby, Kansas Municipal Utilities, Kansas Water Environment Association, and Southwest Kansas Coalition.

No other testimony was provided.

The House Committee adopted a motion to reflect in the supplemental note the Committee has requested a revised fiscal note from KDHE.

House Committee of the Whole

The House Committee of the Whole amended the bill to prohibit the rules and regulations authorized by the bill from requiring prescriptive treatment processes that make the reuse of treated wastewater unaffordable or otherwise unachievable.

Fiscal Information

According to the revised fiscal note prepared by the Division of the Budget on the bill as of February 2, 2026, KDHE states enactment of the bill could increase State General Fund expenditures by \$180,600 annually for FY 2027 and FY 2028, and \$80,600 in future years. No additional revenue is anticipated.

The agency states there are no federal requirements or guidelines for developing indirect or direct potable reuse regulations; therefore, intensive research and pilot projects would be needed. In addition, the agency would need to coordinate robust technical stakeholder engagement and develop technical studies to ensure safe implementation.

The agency estimates that 1.0 FTE Environmental Specialist position would be needed to fulfill the requirements of the bill. This would include an Environmental Specialist with salary and benefits estimated at \$80,000 annually. The position would also require approximately \$600 for computer and communications needs.

The agency states that at least one contract would be needed for research and assessment of existing technology, standards, and regulations developed by other states. The

agency anticipates the contracts would be approximately \$100,000 per year for at least two years, but cannot determine an exact cost without developing a scope for the contracts and conducting the request for proposal process.

The Kansas Water Office indicates that enactment of the bill would not result in a fiscal effect for the agency.

The Kansas Association of Counties and the League of Kansas Municipalities believe the bill would have no fiscal effect on counties and municipalities, respectively.

Any fiscal effect associated with the bill is not reflected in *The FY 2027 Governor's Budget Report*.

Water; potable water; reuse; rules and regulations; drinking water