

UPDATED
SESSION OF 2025

SUPPLEMENTAL NOTE ON SENATE BILL NO. 89

As Recommended by Senate Committee on
Agriculture and Natural Resources

Brief*

SB 89 would amend the Poultry Disease Control Act (Act) and establish fees related to the Act and the National Poultry Improvement Plan (NPIP).

[*Note:* The NPIP was established in the early 1930s and provides a cooperative industry, state, and federal program to help diminish the spread of pullorum disease and other poultry diseases through testing and monitoring.]

Fees (Sections 4, 6, and 7)

The bill would establish the following fees to be paid to the Animal Health Commissioner (Commissioner), Kansas Department of Agriculture (KDA):

- NPIP participation fee up to \$50;
- Certification fee up to \$50 for individuals providing testing or diagnostic services; and
- Testing and diagnostic services fee up to \$100 per location.

*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/>

NPIP Participation Fee (Section 4)

The bill would establish the NPIP participation fee not to exceed \$50. The bill would require the fee to be paid annually by each person participating in the NPIP and would allow participation in the NPIP for one year.

Certification Fee (Section 6)

The bill would establish a certification fee not to exceed \$50 that would apply to each person performing any testing or poultry disease diagnostic services related to pullorum-typhoid or fowl typhoid pursuant to the Act. The bill would require each person to annually obtain a certification to perform testing and diagnostic services from the Commissioner, and each certification would expire on September 30th following its issuance.

The bill would also clarify that each person performing poultry disease diagnostic services related to pullorum-typhoid or fowl typhoid pursuant to the Act must report within 48 hours to the Commissioner, or the Commissioner's authorized agent, the source of each poultry specimen from which salmonella pullorum or salmonella gallinarum is a reactor or is isolated.

Testing and Diagnostic Services Fee (Section 6)

The bill would require each person who requests that the Commissioner, or the Commissioner's authorized agent, perform testing or diagnostic services related to pullorum-typhoid or fowl typhoid pursuant to the Act to pay a fee not to exceed \$100 per visit to each location participating in the NPIP. Payment would be required prior to the performance of any testing or diagnostic services.

The bill would provide that testing or poultry disease diagnostic services related to pullorum-typhoid or fowl typhoid that is not performed by the Commissioner, an authorized

agent of the Commissioner, or an individual certified pursuant to the Act is not sufficient to support participation in the NPIP.

Failure to Pay NPIP Participating Fee (Section 7)

The bill would authorize the Commissioner to revoke any NPIP participation for failure to comply with the requirements of the Act or any applicable NPIP requirements, including failure to pay the annual NPIP participation fee within a 60-day grace period following the date that the fee is due.

Other Amendments to the Act

Out-of-State Poultry (Section 3)

The bill would prohibit poultry from being shipped into Kansas other than from a source that is either:

- A NPIP participant in compliance with all NPIP requirements at the time of the shipment; or
- Meeting requirements equivalent to those contained in the NPIP.

The bill would also remove references to hatcheries and hatchery supply flocks.

Public Exhibition (Section 5)

The bill would modify the requirements for all poultry taken to a public exhibition in Kansas. Under the bill, all poultry taken to a public exhibition would have to meet one of the following requirements:

- Come from a flock of poultry that participates in the NPIP and is compliant with all applicable provisions of the NPIP;

- Have a negative result from pullorum-typhoid and fowl typhoid test conducted within 90 days of the poultry being taken to the public exhibition; or
- Be included in a surveillance program approved by the Commissioner.

This would include all exhibition, exotic, and game birds, but would exclude waterfowl.

Definitions (Section 1)

The bill would clarify the definition of “poultry”; change the term “pullorum” to “pullorum-typhoid”; and remove the definition of “hatchery.”

Rules and Regulations (Section 2)

The bill would authorize the Commissioner to adopt rules and regulations to establish annual fees for NPIP participation and annual fees for obtaining certification to perform and receive testing and diagnostic services related to pullorum-typhoid or fowl typhoid.

Background

The bill was introduced by the Senate Committee on Agriculture and Natural Resources at the request of a representative of the KDA.

Senate Committee on Agriculture and Natural Resources

In the Senate Committee hearing, **proponent** testimony was provided by representatives of the KDA and the Kansas Livestock Association. The proponents provided a history of the NPIP, stated the bill would enable KDA to assess fees related to the NPIP, and would ensure all livestock producers

are remitting fees to support the Animal Disease Control Fund.

No other testimony was provided.

The Senate Committee recommended the bill be placed on the Consent Calendar.

Fiscal Information

[*Note:* A fiscal note was not available at the time of the Senate Committee hearing. This supplemental note has since been updated with the fiscal information for SB 89.]

According to the fiscal note prepared by the Division of the Budget on the bill, the KDA indicates that enactment of SB 89 would increase expenditures by \$35,500 in FY 2026 and \$40,500 in FY 2027 from agency fee funds for field veterinarian routine surveillance salaries, agency administrative staff, and antigen supplies.

Currently, these services are provided at no charge, and the agency estimates the bill would generate revenues totaling \$11,250 per year for registrations for a certified tester and \$7,000 per year for on-site testing for participants.

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

Poultry; National Poultry Improvement Plan; fees; poultry disease control; Kansas Department of Agriculture