

February 17, 2011

The Honorable Tim Owens, Chairperson  
Senate Committee on Judiciary  
Statehouse, Room 559-S  
Topeka, Kansas 66612

Dear Senator Owens:

**SUBJECT:** Fiscal Note for SB 164 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 164 is respectfully submitted to your committee.

SB 164 concerns the sale, records, and civil penalties of plastic bulk merchandise containers. Recyclers would not be able to pay for containers in cash. When purchasing ten or more bulk containers for one seller, the recycler would have to require identification, contact information, and retain detailed records as prescribed in the bill. Any person not complying with the requirements would be liable for the payment of a civil penalty of \$10,000 for each violation. Any civil penalty recovered by the Attorney General would be paid to the State General Fund. Any civil penalty recovered by a county or district attorney would be paid to the general fund of the county.

Passage of SB 164 could result in additional cases filed for violations. However, until the courts have had an opportunity to operate under SB 164, an accurate estimate of the fiscal effect on expenditures by the Judicial Branch cannot be given.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson".

Steven J. Anderson, CPA, MBA  
Director of the Budget

cc: Mary Rinehart, Judiciary  
Megan Pinegar, Attorney General's Office  
Steve Neske, Revenue  
Melissa Wangemann, KS Association of Counties