

SESSION OF 2012

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2626

As Recommended by House Committee on
Government Efficiency

Brief*

HB 2626 would repeal two statutes (KSA 83-139 and KSA 83-140) concerning fraudulent practices in selling grain, seed, hay, or coal. The statutes addressed the practice when a purchaser deducted a quantity from the actual weight or measure of the article purchased and withheld payment for that amount by reason of custom, rule of a board of trade, or for other reason, without an express agreement with the seller. The statutes also set out penalties, civil liabilities, and attorney fees.

Background

The bill was introduced at the request of the Governor's Office of the Repealer. A representative of the Department of Agriculture testified in favor of the bill before the House Committee on Government Efficiency, noting the measurement for sale of grain, seed, hay, and coal commodities has been weight. The representative also stated the Division of Weights and Measures (Division) adopted the National Institute of Standards and Technology Handbook 130 (NIST HB 130) and had a method of sale for commodities. Further, the representative stated the Division does not believe the statutes being considered for repeal have ever been used. No opposing or neutral testimony was presented to the House Committee.

The fiscal note prepared by the Division of the Budget

*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 <http://www.kslegislature.org>

states the bill is of a technical nature; therefore, enactment of the bill would have no fiscal effect.