

SESSION OF 2024

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2608**

As Amended by House Committee of the Whole

Brief\*

HB 2608, as amended, would make changes to the Poultry Disease Control Act (Act).

[*Note:* The Act was established to cooperate with the U.S. Department of Agriculture in the administration of the National Poultry Improvement Plan (National Plan), a national, voluntary, and cooperative federal, state, and industry program that uses disease control and prevention strategies to improve the poultry and poultry products produced by participants. The National Plan started in 1935, and Kansas opted in officially in 1945.]

***Annual Participation Fee***

The bill would require a participation fee to be paid by each person participating in the National Plan. The fee could not exceed \$50. Payment of the fee would allow participation in the National Plan, subject to all other requirements, for one year following the date of paying the fee.

The bill would state that failure to pay the annual participation fee within a 60-day grace period following the date the fee becomes due could result in revocation of a National Plan hatchery or U.S. Pullorum-Typhoid (P-T) Clean designation.

[*Note:* According to the Kansas Department of Agriculture (KDA), P-T is a disease caused by a Salmonella species that infects poultry. It is egg-transmitted and can

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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 <http://www.kslegislature.org>

produce high death loss in hatchlings and young birds. Birds that survive an infection are usually carriers for life and a source of the disease for other birds. The disease has been nearly eliminated from poultry flocks in the United States because of the National Plan. Kansas is a "Pullorum-Typhoid Clean State."]

### ***Pullorum-Typhoid Testing; Fees***

The bill would require each person performing any P-T testing to annually obtain certification from the KDA's Animal Health Commissioner (Commissioner) to perform testing or poultry disease diagnostic services and pay a certification fee that could not exceed \$50. The certification would expire on September 30 following its issuance.

The bill would require each person requesting the Commissioner, or an authorized agent of the Commissioner, to perform testing or diagnostic services related to P-T to pay a fee that could not exceed \$100 for each visit to each location participating in the National Plan before any testing is performed.

In addition, any testing or diagnostic services related to P-T that would be performed other than by the Commissioner, an authorized agent of the Commissioner, or an individual certified pursuant to this section of the bill would not be considered sufficient to support a National Plan hatchery or U.S. P-T Clean designation, pursuant to the National Plan.

### ***Administration and Enforcement Authority***

The bill would authorize the Commissioner to administer and enforce the Act.

### ***Technical and Clarifying Amendments***

The bill would also make technical and clarifying amendments and update references to federal law.

### **Background**

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

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

In the House Committee hearing, the Deputy Secretary of Agriculture and a representative of the Kansas Livestock Association (KLA) provided **proponent** testimony on the bill. The Deputy Secretary explained the National Plan and that KDA's Division of Animal Health has provided services to businesses and individuals at no cost. The representative for KLA stated the KDA's Animal Disease Control Fund, which currently pays for poultry disease control measures, is funded by the cattle and swine industries, and the bill would allow for the poultry industry to contribute to the Fund.

No other testimony was provided.

The House Committee amended the bill to remove two references to "poultry disease" diagnostic services and replace with diagnostic services "related to pullorum typhoid."

### ***House Committee of the Whole***

The House Committee of the Whole amended the bill to remove the Commissioner's authority to adopt rules and regulations to administer and enforce the Act.

## **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the KDA estimates the bill would have a fiscal effect on the expenditures and revenues of the agency. The KDA notes these services are currently provided at no charge and estimates enactment of the bill would generate new total fee revenue of \$18,250 in both FY 2025 and FY 2026.

New fee revenue for the participation fee is estimated to be \$7,500 in both FY 2025 and FY 2026 (150 flock owners X \$50 = \$7,500). New fee revenue for the certification fee is estimated to be \$3,750 in both FY 2025 and FY 2026 (75 certified testers X \$50 = \$3,750). New fee revenue for the testing fee is estimated to be \$7,000 in both FY 2025 and FY 2026 (70 location participants X \$100 = \$7,000). The KDA indicates the new fees would partially offset the estimated total expenses of \$35,500 in FY 2025 and \$40,500 in FY 2026 for field veterinarian routine surveillance salaries, agency administrative staff, and antigen supplies. The KDA would use other fee funds to cover the shortfall.

Any fiscal effect associated with the bill is not reflected in *The FY 2025 Governor's Budget Report*.

Agriculture; poultry disease control; Pullorum-Typhoid; fees; Animal Health Commissioner; Kansas Department of Agriculture