

SESSION OF 2021

**SUPPLEMENTAL NOTE ON SENATE SUBSTITUTE FOR
HOUSE BILL NO. 2102**

As Recommended by Senate Committee on
Agriculture and Natural Resources

Brief*

Senate Sub. for HB 2102 would update Kansas Egg Law regarding repackaged eggs. [Note: "Repackaging eggs" means removing a broken or dirty egg from a carton and replacing it with an unbroken and clean egg, as long as certain requirements in continuing law are met.]

The bill would specify that an inspection fee on all graded eggs sold, offered, or exposed for sale or distributed would be paid only once on eggs remaining in the eggs' original container or have been repackaged in accordance with law and are graded higher than Grade B.

The bill would also clarify which requirements would need to be met for repackaged eggs, repackaged eggs that may be graded higher than Grade B, and repackaged eggs to be graded Grade B.

The bill would replace the word "repacked" with "repackaged" and make technical changes, including updating terminology, rearranging subsections, and allowing for numbering changes.

Background

The bill was introduced by the House Committee on Agriculture at the request of a representative of WalMart.

*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>

[*Note*: The bill contains provisions similar to those of 2020 HB 2464, as amended by the House Committee on Agriculture, passed by the House, and recommended by the Senate Committee on Agriculture and Natural Resources.]

House Committee on Agriculture

In the House Committee hearing, the Deputy Secretary of Agriculture and a representative of Walmart provided **proponent** testimony on the bill, stating the bill would clarify amendments to the Kansas Egg Law in 2018 regarding the requirements of repackaging eggs of certain grades by retailers.

Written-only **proponent** testimony was provided by a representative of Hy-Vee, Inc.

No other testimony was provided.

Senate Committee on Agriculture and Natural Resources

In the Senate Committee hearing, the Deputy Secretary of Agriculture and a representative of Walmart provided **proponent** testimony on the bill.

No other testimony was provided.

The Senate Committee amended the bill to:

- Specify an inspection fee would be paid only once on the same quantity of eggs so long as the eggs have been repackaged in accordance with law and are graded higher than Grade B;
- Clarify and rearrange certain requirements for repackaged eggs, repackaged eggs that may be graded higher than Grade B, and repackaged eggs to be graded Grade B; and

- Make technical amendments.

The Senate Committee recommended a substitute bill be passed incorporating its amendments.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Kansas Department of Agriculture indicates enactment of the bill would have no fiscal effect on agency operations.

Kansas Egg Law; eggs; repackaging