

## 2023 Kansas Statutes

**16-1701. Poultry production contracts; requirements; violations; remedies.** (a) As used in this section:

- (1) "Contractor" means a person who owns poultry that is raised or cared for by a poultry producer;
- (2) "poultry" means posthatched to finished live chickens or turkeys that are raised by a poultry producer for slaughter by another;
- (3) "poultry producer" means any individual or group of individuals that raise or care for live poultry for slaughter by another under terms of a written production contract;
- (4) "production contract" means any written agreement that provides for the raising and care of poultry by a poultry producer for a contractor; and
- (5) "production" means to raise and care for poultry under the terms of a poultry production contract.

(b) Poultry production contracts shall:

- (1) Be written in a readable form and shall be accompanied by a clearly written disclosure statement setting forth the nature of the material risks faced by the poultry producer if the poultry producer enters into such poultry production contract;
  - (2) be negotiated and entered into in an environment free from unfair or deceptive trade practices or other violations of law;
  - (3) not require disclosure of trade secrets and not be contrary to the uniform trade secrets act, K.S.A. 60-3320 et seq., and amendments thereto;
  - (4) not require poultry producers to reveal intellectual property rights nor disclose personal financial information or production practices;
  - (5) not prohibit nor discourage poultry producers from associating with other poultry producers to compare contract terms or address concerns or problems;
  - (6) not prohibit nor discourage poultry producers from seeking professional, legal, financial and agricultural production advice and counsel related to production contract terms, obligations and responsibilities;
  - (7) not allow a contractor to terminate any poultry production contract with a poultry producer that has complied with the provisions of the poultry production contract; and
  - (8) not deny poultry producers of the ability to address a dispute in the Kansas courts. The poultry production contract may contain a provision to have the option of submitting any dispute arising under a poultry production contract to arbitration.
- (c) Any provision of a poultry production contract which violates the provisions of subsection (b) is void and unenforceable. This subsection shall not affect other provisions of a poultry production contract, including a contract or related document, policy or agreement which can be given effect without the voided provision.
- (d) A poultry producer who suffers damages because of a contractor's violation of the provisions of subsection (b) may obtain appropriate legal and equitable relief, including, but not limited to, injunctive relief and punitive damages, as provided in K.S.A. 60-3702, and amendments thereto. In such a civil action against the contractor, the court may award the poultry producer who is the prevailing party, reasonable attorney fees and other litigation expenses.

**History:** L. 2002, ch. 95, § 1; May 2.