

KANSAS OFFICE of
REVISOR of STATUTES

LEGISLATURE of THE STATE of KANSAS
Legislative Attorneys transforming ideas into legislation.

300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: Senate Committee on Agriculture and Natural Resources
From: Office of Revisor of Statutes
Date: March 2, 2022
Subject: HB 2560—Pesticide and Fertilizer Fees and Penalties; Water Appropriation Fees; Extending the Water Transition Assistance Program

House Bill 2560 would extend the sunset of certain department of agriculture penalties and fees relating to certain pesticide and fertilizer laws and certain water appropriation fees for five years from July 1, 2023, to July 1, 2028. The bill would also extend the water transition assistance program that is currently set to expire on July 1, 2022, until July 1, 2030.

Fertilizer and Pesticide Fees and Penalties

HB 2560 would extend certain fertilizer and pesticide fees from July 1, 2023, to July 1, 2028.

Fee	Current Fee	Fee Without Sunset Extension
Commercial fertilizer inspection fee penalty for late payments (Sec. 1)	\$10 per day	\$5 per day
Pesticide business license or renewal (Sec. 3)	\$140 per category	\$112 per category
Unverified individuals employed by a licensed pesticide business (Sec. 3)	\$15	\$10
Government agency registration to apply pesticides (Sec.3)	Maximum \$50	Maximum \$35
Pest control technician registration for employee of a pesticide business licensee (Sec. 4)	Maximum \$40	Maximum \$25
Commercial applicator's certificate examination fee (Sec. 5)	Maximum \$45	Maximum \$35
Certified private applicator certificate fee (Sec. 6)	Rules and regulations adopted by the secretary	Maximum \$10
Chemigation user permit application fee (Sec. 7)	\$75 plus \$15 for each additional point of diversion	\$55 plus \$19 for each additional point of diversion
Chemigation equipment operator fee (Sec. 8)	\$25	\$10

KANSAS OFFICE of
REVISOR of STATUTES
 LEGISLATURE of THE STATE of KANSAS

Water Appropriation Fees

HB 2560 would extend certain water appropriation fees from July 1, 2023, to July 1, 2028.

Fee	Current Fee	Fee Without Sunset Extension
Water appropriation permit application fees (Sec. 9)	\$200 to \$300 + \$20 for each additional 100 acre feet	\$100 to \$150+\$10 for each additional 100 acre feet
Water appropriation permit application fee for water storage (Sec. 9)	\$200 to \$200 + \$20 for each additional 250 acre feet	\$100 to \$100 + \$10 for each additional 250 acre feet
Application to change the place of use, point of diversion or use of appropriated water (Sec. 10)	<ul style="list-style-type: none"> • Change point of diversion 300 feet or less, \$100 • Change point of diversion more than 300 feet, \$200 • Change place of use, \$200 • Change use made, \$300 	<ul style="list-style-type: none"> • Change point of diversion 300 feet or less, \$50 • Change point of diversion more than 300 feet, \$100 • Change place of use, \$100 • Change use made, \$150
Term permit application fees to appropriate water (Sec. 11)	\$200 to \$300 + \$20 for each additional 100 acre feet	\$100 to \$150+\$10 for each additional 100 acre feet
Term permit application fees for water storage (Sec. 11)	\$200 to \$200 + \$20 for each additional 250 acre feet	\$100 to \$100 + \$10 for each additional 250 acre feet
Field inspection for construction appropriation works completion or a proposed beneficial use	\$400	\$200
Extension to complete a diversion work or perfect a water right (Sec. 12)	\$50	\$100
Reinstatement of a water right or permit (Sec. 12)	\$100	\$200
Temporary permit to appropriate water (Sec. 13)	\$200	\$100

Water Right Transition Assistance Program

Section 2 of HB 2560 would extend the sunset for the water right transition assistance program (WTAP) from July 1, 2022, to July 1, 2030.

Effective Date

HB 2560 would take effect on July 1, 2022, upon publication in the statute book.