

February 12, 2019

The Honorable Fred Patton, Chairperson
House Committee on Judiciary
Statehouse, Room 519-N
Topeka, Kansas 66612

Dear Representative Patton:

SUBJECT: Fiscal Note for HB 2178 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2178 is respectfully submitted to your committee.

HB 2178 would remove any question of intent regarding the phrase “or operates” by striking this phrase from the definition of operator. This modification would make operators responsible under the Kansas Underground Utility Damage Prevention Act only for the underground facilities they own. The bill would add an exemption to the definition of those utilities that provide electric service by noting the demarcation point between facilities owned by an electric utility and its customers can be determined from an operator’s published rules and regulations or service agreements. In addition, the bill would modify existing law concerning the duties of the operator with respect to providing locates to limit the responsibility of electric utilities to only mark facilities they own as long as they publish the utility/customer interface in their service agreements. The limitation in marking responsibility would also minimize the liability the electric utility might incur by providing locates of buried facilities for which they have limited or no construction records to assist them in providing accurate locates.

The Kansas Corporation Commission states that enactment of HB 2178 would have no fiscal effect on the agency’s expenditures or revenues.

Sincerely,



Larry L. Campbell
Director of the Budget

cc: Jake Fisher, KCC