

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
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**MEMORANDUM**

To: House Committee on Agriculture  
From: Kyle Hamilton, Assistant Revisor of Statutes  
Date: February 12, 2018  
Subject: Bill Brief on HB 2619

On October 1, 2014, the Kansas department of agriculture published a policy stating that any documentation required under the Kansas pesticide law may be created and maintained in paper or electronic format, or some combination of the two, with some conditions. HB 2619 would put the enacted policy into statute.

Section 1 contains all new language that would allow required pesticide documentation to be created and maintained in paper or electronic format, or a combination of both. The secretary could choose the format of any such document that is sent to the secretary. Any document required under the Kansas pesticide law would have to be capable of being reproduced in a readable paper format.

Throughout Section 2, the word “written” has been stricken, though, on line 18, “written” would be replaced by the word “drafted” in order to indicate that statements of services or contracts created pursuant to the Kansas pesticide law would have to take the form of a document, and not just be verbal.

Subsection (c) contains conditions relating to the format of pesticide statements of services and contracts. In paragraph (2), such documents would have to be presented to a customer in paper format, unless the customer agrees to receive all or part of such document in electronic format. In paragraph (3), the pesticide licensee would have to present such document to the customer within 30 days of when the services were provided and prior to the due date for payment if the services are not a prepaid agreement. The customer could request to have such documents provided by no

later than the close of business on the business day following a request for the documents.

Paragraph (4) would allow the secretary to request a duplicate of such documents, which would have to be provided within two business days. Paragraph (6) would allow for the documents to be signed using the legible printed name of the individual who performed or supervised the performance of the pest control.

HB 2619 would become effective upon publication in the statute book.