

SESSION OF 2022

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2005

As Amended by Senate Committee on Federal
and State Affairs

Brief*

HB 2005 would amend provisions of law related to the Boiler Safety Act (Act). The bill would increase the maximum nominal water capacity of an exempt hot water supply boiler to 120 gallons from the current maximum of 85 gallons. The bill would remove the stipulation that a 120-gallon boiler is exempt from the Act only if it is part of an electrical utility generating plant.

[*Note:* The Office of the State Fire Marshal oversees the inspection, installation, and repairs of all boilers and pressure vessels that are subject to the Act. Certain hot water supply boilers and water heaters are not subject to the Act.]

The bill would also make technical amendments.

Background

The bill was introduced by Representative Highland on behalf of Wamego Inn & Suites.

House Committee on Water

In the House Committee hearing in 2021, Representative Highland provided **proponent** testimony on the bill, stating the bill would clarify that water heaters are not boilers and should not be regulated as such. Written-only

*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>

proponent testimony was provided by a representative of Wamego Inn & Suites.

A representative of the Office of the State Fire Marshal (OSFM) provided neutral testimony. No other testimony was provided.

Senate Committee on Federal and State Affairs

In the Senate Committee hearing, Representative Highland provided **proponent** testimony on the bill, stating because water heaters do not produce steam, they do not operate in the same way as boilers. Representative Highland stated that the bill simply removes the 85-gallon size limit, exempting water heaters up to 120 gallons from the regulations imposed on boilers.

A representative of the OSFM provided neutral testimony, indicating the bill would reduce revenues to the Boiler Inspection Fee Fund due to fewer inspections being conducted, but that the OSFM would be able to absorb the loss. No other testimony was provided.

The Senate Committee amended the bill to change the effective date to upon publication in the statute book and make technical amendments.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the OSFM indicates enactment of the bill would decrease expenditures by \$81,500 in both FY 2021 and FY 2022 and eliminate 1.0 FTE inspector position in each year due to decreased workload. The agency estimates the bill would reduce revenues to its Boiler Inspection Fee Fund by approximately \$77,140 and to the State General Fund by approximately \$3,290 in FY 2021 and in FY 2022 due to decreased receipt of certification and

inspection fees. Any fiscal effect associated with the enactment of the bill is not reflected in *The FY 2023 Governor's Budget Report*.

Water supply boiler; water heater; Kansas Boiler Safety Act