

2012 Kansas Statutes

58-3308. Notice of filing and registration; hearings. (a) Upon receipt of the application for registration in proper form, the commissioner shall issue a notice of filing to the applicant. Within 90 days from the date of the notice of filing, the commissioner shall enter an order registering the subdivided lands or rejecting the registration. If no order of rejection is entered within 90 days from the date of notice of filing, the land shall be deemed registered unless the applicant has consented in writing to a delay.

(b) If the commissioner affirmatively determines, upon inquiry and examination, that the requirements of K.S.A. 58-3307 and amendments thereto have been met, the commissioner shall enter an order registering the subdivided lands and shall designate the form of the public offering statement.

(c) If the commissioner determines upon inquiry and examination that any of the requirements of K.S.A. 58-3307 and amendments thereto has not been met, the commissioner shall notify the applicant that the application for registration must be corrected in the particulars specified within 10 days. If the requirements are not met within the time allowed the commissioner shall enter an order rejecting the registration which shall include the findings of fact upon which the order is based. Within 15 days after service of the order rejecting the registration, the applicant may petition for a hearing. Upon receipt of a timely petition, the commissioner shall conduct a hearing thereon in accordance with the provisions of the Kansas administrative procedure act.

History: L. 1967, ch. 311, § 8; L. 1976, ch. 241, § 7; L. 1988, ch. 356, § 176; July 1, 1989.