

STATE OF KANSAS

SENATE CHAMBER

MADAM PRESIDENT:

I move to amend **SB 323**, as amended by Senate Committee, on page 1, as amended in the Committee of the Whole on April 4, 2014, in amendment designated as fa\_2014\_sb323\_s\_4338, by striking all of subsection (d) of section 1 and inserting the following:

"(d) Except as provided in subsection (b) of K.S.A. 58-3812, and amendments thereto, and unless the instrument creating it otherwise provides, a conservation easement shall be limited in duration to the lifetime of the grantor and may be revoked at such grantor's request. Except as provided in subsection (b) of K.S.A. 58-3812, and amendments thereto, conservation easements, except for conservation easements created to buffer active military installations, executed on and after July 1, 2014:

(1) Shall be limited in duration to 50 years, or if the grantor is a natural person shall terminate upon the death of the grantor or upon a specified term of years contained in the instrument creating such easement, whichever occurs first; or

(2) for the purpose of compensatory mitigation required under section 404 of the clean water act (33 U.S.C. § 1251 et seq.) as in effect on July 1, 2014, shall be limited in duration to the life of the project."

Senator \_\_\_\_\_