

HOUSE BILL No. 2598

By Representative K. Jones

2-3

1 AN ACT concerning water; relating to rural water districts; amending
2 K.S.A. 82a-617 and repealing the existing section.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 82a-617 is hereby amended to read as follows: 82a-
6 617. (a) Immediately following the granting of incorporation by the board
7 of county commissioners, and at the time and place set out in the notice of
8 hearing, the owners of land within any such district shall select from their
9 number a board of directors. The number of members on ~~said~~ the board,
10 not to exceed nine ~~(9)~~, shall be determined by majority vote of those
11 owners of land present: *Provided*, Any original director who ~~shall fail~~ fails
12 to subscribe to one ~~(1)~~ or more benefit units and pay the established unit
13 fee for each unit to which ~~he or she~~ such director subscribes within ~~thirty~~
14 ~~(30)~~ 30 days after entry in the minutes of the board of a declaration of
15 availability of such benefit units for subscription, shall forfeit ~~his or her~~
16 the director's office.

17 (b) Within seven ~~(7)~~ days after the election of the original board,
18 proposed bylaws shall be submitted for adoption at a meeting of owners of
19 land located within the district, notice of which shall be given to each such
20 landowner as provided in K.S.A. 82a-615, and amendments thereto. Those
21 owners of land located within the district present at such special meeting
22 may adopt and amend any of such proposed bylaws and may propose and
23 adopt additional or other bylaws. Such bylaws may be amended at any
24 annual or special meeting of the participating members of the district.

25 (c) *When land to which a water benefit unit is attached is the subject*
26 *of an action for judicial foreclosure and sale, any benefit unit attached to*
27 *that land shall not be forfeited, or if forfeited, such benefit unit shall be*
28 *reinstated upon the following conditions:*

29 (1) *In the 36 months prior to the date of foreclosure, the benefit unit*
30 *has received a payment of any water use charge or other monthly charge*
31 *payable to the rural water district; and*

32 (2) *the foreclosing creditor, its assignee or the purchaser of the*
33 *property to which the benefit unit is attached, pays all charges associated*
34 *with such unit, including charges for water purchased, monthly minimum*
35 *fees, monthly debt service or similar charges, late payment fees,*
36 *reasonable disconnect and reconnect fees properly charged to such benefit*

1 *units and other fees charged by the rural water district. Reconnect fees*
2 *shall not exceed \$50 per benefit unit.*

3 Sec. 2. K.S.A. 82a-617 is hereby repealed.

4 Sec. 3. This act shall take effect and be in force from and after its
5 publication in the statute book.