

SENATE BILL No. 31

By Committee on Ethics, Elections and Local Government

Proposed Amendments to SB 31
Senator Haley
February 10, 2017
Prepared by: Mike Heim
Office of Revisor of Statutes

1 AN ACT concerning cities; relating to the rehabilitation of abandoned
2 property; amending K.S.A. 2016 Supp. 12-1750 and 12-1756a and
3 repealing the existing sections; also repealing K.S.A. 2016 Supp. 12-
4 1756e.

6 Be it enacted by the Legislature of the State of Kansas:
7 Section 1. K.S.A. 2016 Supp. 12-1750 is hereby amended to read as
8 follows: 12-1750. As used in this act:

9 (a) "Structure" means any building, wall or other structure.
10 (b) "Enforcing officer" means the building inspector or other officer
11 designated by ordinance and charged with the administration of the
12 provisions of this act.

13 (c) "Abandoned property" means: (1)

14 (1) Any residential real estate for which taxes are delinquent for the (A)
15 preceding two years and which has been unoccupied continuously by
16 persons legally in possession for the preceding 90 days; or

17 (2) any residential real estate which has been unoccupied (B)
18 continuously by persons legally in possession for the preceding 15 months
19 and which has a blighting influence on surrounding properties, unless the
20 exterior of the property is being maintained and the property is either the
21 subject of a probate action, action to quiet title or other ownership
22 dispute, or the property is subject to a mortgage; or

23 (3) commercial real estate for which the taxes are delinquent for the (C)
24 preceding two years and which has a blighting influence on surrounding
25 properties. "Commercial real estate" means any real estate for which the
26 present approved use is other than one to four residential units or for
27 agricultural purposes.

28 (d) "Blighting influence" means conditions in such structure which
29 are dangerous or injurious to the health, safety or morals welfare of the
30 occupants of such buildings or other residents of the municipality or which
31 have an adverse impact on properties in the area. Such conditions may
32 include, but are not limited to, the following: Defects increasing the
33 hazards of fire, accident, or other calamities; air pollution; light or lack of
34 sanitary facilities; dilapidation; disrepair; structural defects; uncleanness;
35 dead and dying trees, limbs or other unsightly natural growth or unsightly
36 appearances that constitute a blight to adjoining property, the

(2) "Abandoned property" shall not mean any real estate where the
owner of such real estate is known and has expressed in writing a
desire to retain ownership and maintain such real estate.