

{As Amended by Senate Committee of the Whole}

As Amended by Senate Committee

Session of 2017

SENATE BILL No. 31

By Committee on Ethics, Elections and Local Government

1-17

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.

5
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) (1) "Abandoned property" means:

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

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

28 (2) "Abandoned property" shall not mean any real estate where the
29 owner of such real estate is known and has expressed in writing to the
30 governing body a desire to retain ownership and maintain such real
31 estate and has brought the property into code compliance within 90 days
32 of such expressed desire.

33 (d) "Blighting influence" means conditions in such structure which
34 are dangerous or injurious to the health, safety or ~~morals welfare~~ of the

two years and which has a blighting influence on surrounding properties, unless the exterior of the property is being maintained and the property is either the subject of a probate action, action to quiet title or other ownership dispute, or the property is subject to a mortgage; or