

**2018 HB 2506 as Passed by the House
Compared with Similar Bills from 2017, 2016, and 2013**

	Provisions in 2018 HB 2506 as passed by the House	2018 HB 2506 as Introduced	2017 SB 31 As Amended by Senate Committee or SCOW (only changes noted)	2017 SB 31 as introduced	2016 SB 338, as amended (S: 32-8; H: 79-44; vetoed)	2013 HB 2075, as amended (H: 102-19)	
KSA 2017 Supp. 12-1750 (Section 1)							
"Abandoned property" definition	Any <u>residential</u> real estate for which <u>taxes are delinquent</u> for the <u>preceding two years</u> that has been <u>unoccupied</u> continuously by persons legally in possession for the preceding <u>15 months</u> and that has a <u>blighting influence</u> on surrounding properties, <u>unless the exterior</u> of the property is being <u>maintained</u> and the property is either the subject of a probate action, action to quiet title or other <u>ownership dispute</u> , or the property is subject to a mortgage; or [emphasis added above]	1, line 17-23	different: removed definition provisions <u>leaving only tax delinquency</u> for residential real estate (SCOW)	different: unoccupied for preceding <u>365 days</u>	different: unoccupied for <u>365 days</u> rather than 15 months	different: unoccupied for <u>180 days</u> , no exceptions	
"Abandoned property" does not mean	"any real estate whose owner is known and has expressed in writing to the governing body a desire to retain ownership and maintain such real estate and has brought the property into code compliance within 90 days of such expressed desire."	1, line 29-32	SAME (added by Senate Committee)	[not included]	N/A	N/A	
"Commercial real estate" definition	add "approved" to read "present approved use"	1, line 27		SAME	SAME	SAME	
"Blighting influence" definition	replace "morals" with "welfare"	1, line 34		SAME	SAME	SAME	
	remove "or which have an adverse impact on properties in the area"	1, line 35-36		SAME	SAME	different	separate table for differences in "blighting influence" definition
	remove "light"	2, line 2		SAME	SAME	different	
	specify "lack of" sanitary facilities	2, line 2		SAME	SAME	different	
	remove "uncleanliness"	2 line, 3		SAME	SAME	SAME	
	remove provisions about natural growth or unsightly appearance	2, line, 4-5		SAME	SAME	different	
	remove provisions related to exterior	2, line 5-8		SAME	SAME	SAME	
	remove "inadequate drainage"	2, line 10		SAME	SAME	SAME	
	specify "property maintenance codes"	2, line 11		SAME	SAME	SAME	

**2018 HB 2506 as Passed by the House
Compared with Similar Bills from 2017, 2016, and 2013**

	Provisions in 2018 HB 2506 as passed by the House	2018 HB 2506 as Introduced	2017 SB 31 As Amended by Senate Committee or SCOW (only changes noted)	2017 SB 31 as introduced	2016 SB 338, as amended (S: 32-8; H: 79-44; vetoed)	2013 HB 2075, as amended (H: 102-19)	
	add "which constitute a health or safety threat"	2, line 11		SAME	SAME	similar	See influence
"Organization" definition	require the organization to have been in existence for >=3 years	2, line 15-16		SAME	SAME	[not included]	
Sunset Provision	[not included]	N/A		July 1, 2021, sunset for "blighting influence" portion of residential definition	SAME AS 2017 SB 31	[not included]	
KSA 2017 Supp. 12-1756a (Section 2)							
Ancillary use	[not included]	N/A	removed authority for use for ancillary services related to housing (SCOW)	Allow an organization to use the property for housing + ancillary uses related to housing	SAME AS 2017 SB 31	different: housing + community development	
Allow a city to file petition for temporary possession (under current law an organization is allowed to engage in this process)	The city governing body may file if - the property meets the definition of abandoned, - the city has designated an organization, - the organization will rehabilitate the property as housing	2, lines 37-43 3, line 1	removed authority for use for ancillary services related to housing (SCOW)	The governing body may file if - the property meets the definition of abandoned, - the city has designated and organization, - the organization will rehabilitate the property as housing or for ancillary services related to housing	SAME	different: community development rather than ancillary purposes	
	city has sent notice to enforcing officer and parties in interest, owners of property by certified or registered.	3, lines 4-9		SAME	SAME	SAME	
	city has sent notice to owners of property within 200 feet and to neighborhood improvement associations, by certified or registered mail	3, lines 4-5, 6-13		SAME	[not included]	[not included]	
	city has posted the property 20-60 days before the petition is filed	3, lines 9-13		SAME	SAME	SAME	
	governing body has formally approved the filing of the petition	3, lines 2-3		SAME	SAME	[not included]	

**2018 HB 2506 as Passed by the House
Compared with Similar Bills from 2017, 2016, and 2013**

	Provisions in 2018 HB 2506 as passed by the House	2018 HB 2506 as Introduced	2017 SB 31 As Amended by Senate Committee or SCOW (only changes noted)	2017 SB 31 as introduced	2016 SB 338, as amended (S: 32-8; H: 79-44; vetoed)	2013 HB 2075, as amended (H: 102-19)
Information the petition must include	History of utility service for the preceding 365 days or longer, property tax payments for preceding 3 years or longer, code violations for preceding two years or longer and efforts by city to remedy, attempts to notify the last known owner or owners of any enforcement action(s), actions taken by other governmental entities regarding the property including tax liens or bankruptcy proceedings	3, lines 19-30		SAME	SAME	[not included]
Allow <u>city</u> (as well as organization) notification to be via publication if due diligence has failed to find a defendant		3, line 33		SAME	SAME	SAME
Court may extend the 90-day compliance period for an indefinite period		3, lines 42-43		SAME	SAME	[not included]
Defendant's affirmative defense may NOT be stricken solely due to delinquent property taxes		4, lines 5-6		SAME	SAME	[not included]
Require city (or the organization) to submit with the petition a plan to rehabilitate the property		4, lines 7-9		SAME	SAME	SAME
Allow representatives of the <u>city</u> (as well as the organization) to enter the property as the court deems appropriate		4, line 13		SAME	SAME	SAME
Court to make its own determination as to whether a property is abandoned consistent with terms of 12-1750 through 12-1756d (removes 12-1756e, to be repealed)	(12-1756e: organization may file petition for judicial deed and order may be granted for a quit-claim judicial deed to the organization)	4, line 18		SAME	SAME	[not included]

**2018 HB 2506 as Passed by the House
Compared with Similar Bills from 2017, 2016, and 2013**

	Provisions in 2018 HB 2506 as passed by the House	2018 HB 2506 as Introduced	2017 SB 31 As Amended by Senate Committee or SCOW (only changes noted)	2017 SB 31 as introduced	2016 SB 338, as amended (S: 32-8; H: 79-44; vetoed)	2013 HB 2075, as amended (H: 102-19)
	Court may enter an order approving the rehabilitation plan and temporary possession to the city (or to the organization)	4, lines 20-21		SAME	SAME	different: court "shall"
	Remove the option for an organization to lease the property	4, lines 22-23		SAME	SAME	[not included]
	Allow an organization to receive title	organization shall seek title 365-730 days after receiving temporary possession	4, lines 27-30		different: seek quiet title	[not included]
	petitioner for title must notify parties of interest 20-60 days before petition filed, by certified or registered mail	4, lines 30-33		different: quiet title	different: quiet title	[not included]
	court shall grant the petition if the property has been rehabilitated in accordance with the approved plan	4, lines 34-36		SAME	SAME	[not included]
	if no petition is filed or a petition is filed but the court finds the property has not been rehabilitated, property to be sold immediately as in a tax foreclosure sale	4, lines 36-43		SAME	SAME	[not included]
Repealer (Section 3)						
Repeal KSA 12-1756e	(current provisions of 12-1756e): if the original property owner takes no action to regain possession, and after notice, the organization may obtain a quit-claim judicial deed)	5, lines 2-3		SAME	SAME	[not included]