

STATE OF KANSAS

HOUSE OF REPRESENTATIVES

MR. CHAIRMAN:

I move to amend **HB 2629**, as amended by House Committee, on page 2, following line 12, by inserting:

"(d) This section shall be a part of and supplemental to the Kansas uniform common interest owners bill of rights act.";

Also on page 2, in line 18, after "general" by inserting "or by the county or district attorney"; following line 21, by inserting:

"(b) In investigating alleged violations of the Kansas uniform common interest owners bill of rights act, the attorney general or the county or district attorney may:

- (1) Subpoena witnesses, evidence, records, documents or other material;
- (2) take testimony under oath;
- (3) examine or cause to be examined any records or other documentary material of whatever nature relevant to such alleged violations;
- (4) require attendance during such examination of documentary material and take testimony under oath or acknowledgment in respect of any such documentary material;
- (5) serve interrogatories; and
- (6) administer oaths and affirmations.

(c) Service by the attorney general or the county or district attorney of any interrogatories or subpoena upon any person shall be made:

- (1) By certified mail, return receipt requested, to the last known place of business, residence or abode within or without this state; or

(2) in the manner provided in the code of civil procedure as if a petition had been filed.

(d) If any person willfully fails or refuses to file any response to a request for information, records or other materials required by this section, respond to interrogatories or obey any subpoena issued by the attorney general or the county or district attorney, the attorney general or the county or district attorney may, after notice, apply to the district court of the county where the request, interrogatories or subpoena was issued, or of any other county where venue is proper, and after a hearing thereon the district court may:

(1) Issue an order requiring a response to the request for information, records or other materials, a response to interrogatories or compliance with the subpoena; or

(2) grant such other relief as may be required, until the person provides the requested response for information, records or other materials, responds to the interrogatories or obeys the subpoena.";

Also on page 2, in line 24, after the period by inserting "Civil penalties sued for and recovered by the county or district attorney shall be deposited in the county general fund.

(f) This section shall be a part of and supplemental to the Kansas uniform common interest owners bill of rights act.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

_____ District.