

## HOUSE BILL No. 2498

By Committee on Appropriations

2-13

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AN ACT concerning real estate transactions; requiring certain disclosures by sellers; amending K.S.A. 2000 Supp. 12-6a19 and repealing the existing section.

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

Section 1. K.S.A. 2000 Supp. 12-6a19 is hereby amended to read as follows: 12-6a19. (a) Whenever the construction of any water or sanitary sewer improvement is initiated by petition pursuant to subsection (2) of K.S.A. 12-6a04, and amendments thereto, the governing body of the city may require the owners of property, which benefits from such improvement but which was not included within the original improvement district, to pay a benefit fee at the time the owners of such property request, by petition, to be served by such improvement.

The amount of such benefit fee shall not exceed the amount of the assessment, including principal and interest, which would have been levied against the property had it been included in the original improvement district. The benefit fee shall be assessed only against the property described in the petition requesting service by the improvement. Unless otherwise provided by the city, such benefit fee shall be due and payable at the time the property begins being served by the improvement, and shall be subject to the same interest, as assessments against property originally included in the improvement district for such improvement. Any benefit fees paid hereunder shall be applied: ~~(a)~~ (1) To the remaining principal and outstanding interest on the bonds issued to finance the improvement, with a resulting pro rata reduction of the assessments against property originally included in the improvement district for such improvement; or ~~(b)~~ (2) the city general bond and interest fund if any of the cost of the improvement was paid by the city at large.

(b) *Prior to entering into a contract for the sale of any real property which is subject to a special assessment or fee pursuant to this act or to K.S.A. 12-601 et seq., and amendments thereto, the seller of the property shall obtain a written acknowledgment from the buyer that the buyer is aware of such assessments and fees or that the property is located in a district in which the buyer may become liable for such fees in the future.*

(c) The provisions of this act shall be supplemental to any legal au-

1 thority cities may exercise in imposing hookup or connection fees or other  
2 user or regulatory charges for water or sanitary sewer service. The amount  
3 of any hookup or connection fee imposed pursuant to this section shall  
4 not exceed the actual cost of connecting the property to the water or  
5 sanitary sewer.

6 Sec. 2. K.S.A. 2000 Supp. 12-6a19 is hereby repealed.

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

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