

SENATE BILL No. 545

By Committee on Utilities

2-8

AN ACT relating to public utilities; concerning franchise agreements between public utilities and municipalities.

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

Section 1. (a) Prior to July 1, 2003, all municipalities in the state of Kansas shall refrain from enacting or enforcing any franchise or right-of-way ordinances or agreements pursuant to chapters 12 and 17 of the Kansas Statutes Annotated, and amendments thereto, home rule powers or any other authority and from modifying the implementation and enforcement of such ordinances and agreements, in a manner which substantially modifies the relationship between public utilities and municipalities as those relationships existed on January 1, 2002, except that municipalities may reach franchise or right-of-way ordinances or agreements with new public utilities on terms and conditions consistent with the original provisions of ordinances or agreements between municipalities and other public utilities in existence prior to December 31, 2001. Subsequent to the effective date of this act, representatives of municipalities and public utilities shall confer and shall provide to the joint committee on economic development at least three progress reports of their discussions prior to December 31, 2002.

(b) The provisions of this section shall not apply to telecommunications providers provided for under the provisions of K.S.A. 12-2015, and amendments thereto.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.