

SENATE Substitute for HOUSE BILL No. 2034

AN ACT concerning natural gas; reviving and amending K.S.A. 55-102 and repealing the revived section; also repealing K.S.A. 55-102, as amended by section 1 of 2002 House Bill No. 3031.

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

Section 1. K.S.A. 55-102 is hereby revived and amended to read as follows: 55-102. (a) Except as provided in subsection (b), it shall be unlawful for any person, firm or corporation having possession or control of any ~~natural gas or~~ *natural gas well, oil well or coalbed natural gas well*, whether as a contractor, owner, lessee, agent or manager, to use or permit the use of gas by direct well pressure for pumping of oil or for blowing oil out of wells, or for operating any machinery by direct well pressure of gas, or to allow or permit the flow of gas or oil from any such well to escape into the open air without being confined within such well or proper pipes or other safe receptacle for a longer period than two days after gas or oil shall have been struck in such well, except that a reasonable time, not exceeding five days, shall be allowed such contractor, owner, lessee, agent or manager, in addition to such two days, in which to place in the well the casing, tubing, packers and other appliances necessary to properly operate the same and obtain the products therefrom or, in case such contractor, owner, lessee, agent or manager shall not desire to operate such well, to securely enclose the same, so as to prevent the escape of oil or gas therefrom, and thereafter all such gas or oil shall be safely and securely confined in such well, pipes, or other proper receptacle. The provisions of this section shall not be construed to apply to the escape of gas or oil during continuous drilling. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and shall be fined in the sum not less than \$50 nor more than \$200, or by imprisonment in the county jail for not less than 30 days nor more than six months, and each day that the violation continues shall constitute a separate offense.

(b) Natural gas produced *from natural gas wells or in connection with the production of oil, or coalbed natural gas produced from coal seams or associated shale*, may be flared, *vented* or used in any manner if such use ~~or, flaring or venting~~ is authorized by ~~an order, rule or regulation~~ *order or rules and regulations* of the state corporation commission.

Sec. 2. K.S.A. 55-102, as revived by section 1, and K.S.A. 55-102, as amended by section 1 of 2002 House Bill No. 3031, are hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the HOUSE, and passed that body

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HOUSE adopted  
Conference Committee Report \_\_\_\_\_

\_\_\_\_\_  
*Speaker of the House.*

\_\_\_\_\_  
*Chief Clerk of the House.*

Passed the SENATE  
as amended \_\_\_\_\_

SENATE adopted  
Conference Committee Report \_\_\_\_\_

\_\_\_\_\_  
*President of the Senate.*

\_\_\_\_\_  
*Secretary of the Senate.*

APPROVED \_\_\_\_\_

\_\_\_\_\_  
*Governor.*