

## HOUSE BILL No. 2697

By Representative Jim Morrison

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9 AN ACT amending the railroad leasing act; concerning application of act;  
10 amending K.S.A. 66-537 and repealing the existing section.

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

13 Section 1. K.S.A. 66-537 is hereby amended to read as follows: 66-  
14 537. (a) *Except as provided in subsection (b), the provisions of this act*  
15 *shall not apply to or affect any valid lease entered into prior to ~~the effective~~*  
16 *date of this act July 1, 1998, or to any renewal or extension thereof*  
17 *on the same terms and conditions, but*

18 (b) The provisions of this act shall apply to and govern:

19 (1) Any renewal or extension of ~~such~~ *any lease entered into prior to*  
20 *July 1, 1998, on any different term or condition or any material modifi-*  
21 *cation of any such lease where such renewal, extension or material modifi-*  
22 *cation is effected on or after ~~the effective date of this act~~ July 1, 1998;*

23 (2) *any lease entered into prior to July 1, 1998, and the railroad land*  
24 *subject to such lease is abandoned by the railroad and a successor in*  
25 *interest succeeds to the rights and obligations of the railroad; or*

26 (3) *in any case where a lease was entered into prior to July 1, 1998,*  
27 *but was terminated prior to July 1, 1998, and the railroad land subjected*  
28 *to such prior terminated lease is abandoned by the railroad and a suc-*  
29 *cessor in interest succeeds to the rights and obligations of the railroad.*

30 New Sec. 2. (a) In the event a lease entered into prior to July 1, 1998,  
31 was terminated prior to July 1, 1998, and the railroad land subject to such  
32 prior terminated lease is abandoned by the railroad and a successor in  
33 interest succeeds to the rights and obligations of the railroad, the prior  
34 tenant shall not be dispossessed by any such person unless and until the  
35 former tenant is fully compensated by such person for any improvements  
36 made by the prior tenant.

37 (b) The provisions of this section shall become a part of and supple-  
38 mental to the railroad leasing act.

39 Sec. 3. K.S.A. 66-537 is hereby repealed.

40 Sec. 4. This act shall take effect and be in force from and after its  
41 publication in the Kansas register.