

SESSION OF 2004

**CONFERENCE COMMITTEE REPORT BRIEF ON
SENATE BILL NO. 328**

As Agreed on April 1, 2004

Brief*

SB 328 amends statutes which provide that unpaid charges for sewer and water services become liens against the property for services provided by cities, townships, county sewer districts, and improvement districts. The bill provides that the lien shall not attach whenever the use of the sewer or water system has been contracted for by a tenant.

Conference Committee Action

The Conference Committee agreed to delete the House Committee amendments to SB 328 which added provisions of the SB 516, the Commercial Real Estate Broker Lien Act, and to request an interim study on this topic.

Background

SB 328 was supported by Senator Derek Schmidt, the Associated Landlords of Kansas and others. Proponents said that an irresponsible tenant can run up large utility bills and leave the landlord holding the bag.

The bill was opposed by a representative of the League of Kansas Municipalities who said the real crux of SB 328 was one of equity-the taxpayers of a city at large under SB 328 will bear the costs of the unpaid bills rather than the landlords.

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. The conference committee summary report may be accessed on the Internet at <http://www.kslegislature.org>