

STATE OF KANSAS

HOUSE OF REPRESENTATIVES

MR. CHAIRMAN:

I move to amend **SB 462**, As Amended by House Committee, on page 2, in line 33, by striking all after "(1)"; by striking all in line 34; in line 35, by striking all before the period and inserting "Before a political subdivision brings a public nuisance claim, the political subdivision shall request approval from the attorney general to bring such claim. The political subdivision shall provide to the attorney general a written notice of intent to bring a public nuisance claim and a description of the alleged public nuisance. Within 30 days after the political subdivision has provided the attorney general with such notice of intent, the attorney general shall provide written notice to the political subdivision of whether the attorney general will bring such public nuisance claim on behalf of the political subdivision. The political subdivision may bring such public nuisance claim if the attorney general does not:

(A) Provide the political subdivision written notice that the attorney general will bring such public nuisance claim on behalf of the political subdivision within 30 days after receipt of the notice of intent; or

(B) take action to bring such public nuisance claim on behalf of the political subdivision and provide the political subdivision written notice of such action within 60 days after receipt of the notice of intent";

Also on page 2, in line 36, by striking all after "(2)"; by striking all in lines 37 through 40; in line 41, by striking all before the period and inserting "If the attorney general agrees to bring a public nuisance claim on behalf of a political subdivision, the attorney general is authorized and shall seek to:

(A) Recover damages on behalf of the political subdivision;

(B) institute actions or intervene in actions on behalf of the political subdivision as necessary to represent the political subdivision's interests; and

(C) otherwise protect the interests of the political subdivision";

On page 3, following line 2, by inserting:

"(4) All information and records made, maintained, kept, obtained or received by the attorney general pursuant to paragraph (1) shall be confidential, except as required or authorized pursuant to this subsection. The provisions of this paragraph shall expire on July 1, 2031, unless the legislature reviews and reenacts such provisions in accordance with K.S.A. 45-229, and amendments thereto, prior to July 1, 2031.";

On page 1, in the title, in line 3, by striking "providing that"; by striking all in lines 4 through 6; in line 7, by striking all before the semicolon and inserting "requiring political subdivisions to request approval from the attorney general to bring a public nuisance claim; providing requirements for the attorney general when bringing a public nuisance claim on behalf of a political subdivision"

_____ District.