

As Amended by House Committee

Session of 2025

HOUSE BILL No. 2112

By Committee on Water

Requested by Representative Pickert

1-28

1 AN ACT concerning water; relating to the certification of operators of
2 water supply systems and wastewater treatment facilities; **adding**
3 **additional members to a public water supply advisory committee;**
4 **requiring the secretary to submit an annual report to the**
5 **legislature concerning the number and pass rates of operator**
6 **examinations administered during the previous two calendar years;**
7 requiring fees for operator certification examinations to not exceed the
8 cost of such examinations; eliminating the ~~ability of~~ **requirement for**
9 the secretary of health and environment to certify operators through a
10 correspondence course rather than classroom instruction; amending
11 K.S.A. 65-4513 and **K.S.A. 2024 Supp. 65-163 and** repealing the
12 existing ~~section~~ **sections**; also repealing K.S.A. 65-4506.
13

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

15 **Section 1. K.S.A. 2024 Supp. 65-163 is hereby amended to read as**
16 **follows: 65-163. (a) (1) No person shall operate a public water supply**
17 **system within the state without a public water supply system permit**
18 **from the secretary. An application for a public water supply system**
19 **permit shall be submitted for review and approval prior to**
20 **construction and shall include:**

21 (A) A copy of the plans and specifications for the construction of
22 the public water supply system or the extension thereof;

23 (B) a description of the source from which the water supply is to
24 be derived;

25 (C) the proposed manner of storage, purification or treatment for
26 the supply; and

27 (D) such other data and information as required by the secretary
28 of health and environment. No source of water supply in substitution
29 for or in addition to the source described in the application or in any
30 subsequent application for which a public water supply system permit
31 is issued shall be used by a public water supply system, nor shall any
32 change be made in the manner of storage, purification or treatment of
33 the water supply without an additional public water supply system
34 permit obtained in a manner similar to that prescribed by this section
35 from the secretary.

1 **(2) Whenever application is made to the secretary for a public**
2 **water supply system permit under the provisions of this section, it**
3 **shall be the duty of the secretary to examine the application without**
4 **delay and, as soon as possible thereafter, to grant or deny the public**
5 **water supply system permit subject to any conditions that may be**
6 **imposed by the secretary to protect the public health and welfare.**

7 **(3) The secretary may adopt rules and regulations establishing a**
8 **program of annual certification by public water supply systems that**
9 **have staff qualified to approve the extension of distribution systems or**
10 **the replacement of segments of distribution systems without the**
11 **necessity of securing an additional permit for the extension or**
12 **replacement provided the plans for the extension or replacement are**
13 **prepared by a professional engineer as defined by K.S.A. 74-7003, and**
14 **amendments thereto.**

15 **(b) (1) Whenever a complaint is made to the secretary by any city**
16 **of the state, by a local health officer, or by a county or joint board of**
17 **health concerning the sanitary quality of any water supplied to the**
18 **public within the county in which the city, local health officer or**
19 **county or joint board of health is located, the secretary shall**
20 **investigate the public water supply system about which the complaint**
21 **is made. Whenever the secretary has reason to believe that a public**
22 **water supply system within the state is being operated in violation of**
23 **an applicable state law or an applicable rule and regulation of the**
24 **secretary, the secretary may investigate the public water supply**
25 **system.**

26 **(2) Whenever an investigation of any public water supply system**
27 **is undertaken by the secretary, it shall be the duty of the supplier of**
28 **water under investigation to furnish to the secretary information to**
29 **determine the sanitary quality of the water supplied to the public and**
30 **to determine compliance with applicable state laws and rules and**
31 **regulations. The secretary may issue an order requiring changes in the**
32 **source or sources of the public water supply system or in the manner**
33 **of storage, purification or treatment utilized by the public water**
34 **supply system before delivery to consumers, or distribution facilities,**
35 **collectively or individually, as may in the secretary's judgment be**
36 **necessary to safeguard the sanitary quality of the water and bring**
37 **about compliance with applicable state law and rules and regulations.**
38 **The supplier of water shall comply with the order of the secretary.**

39 **(c) (1) As used in this subsection, "municipal water treatment**
40 **residues" means any solid, semisolid or liquid residue generated**
41 **during the treatment of water in a public water supply system**
42 **treatment works.**

43 **(2) A public water supply system may place or store municipal**

1 water treatment residues resulting from sedimentation, coagulation or
2 softening treatment processes in basins on land under the ownership
3 and control of the public water supply system operator provided that
4 such storage or placement is approved and permitted by the secretary
5 under this section as part of the public water supply system.

6 (3) The secretary shall adopt uniform and comprehensive rules
7 and regulations for the location, design and operation of such basins.
8 Such rules and regulations shall require permit applications by the
9 public water suppliers for such basins to include a copy of the plans
10 and specifications for the location and construction of each basin, the
11 means of conveyance of the treatment residues to such basins, the
12 content of treatment residues, the proposed method of basin operation
13 and closure, the method of any anticipated expansion and any other
14 data and information required by the secretary.

15 (4) Whenever complaint is made to the secretary by the mayor of
16 any city of the state, by a local health officer or by a county or joint
17 board of health, or whenever an investigation is undertaken at the
18 initiative of the secretary, relating to any alleged violation of the
19 provisions of the permit for placement or storage of municipal water
20 treatment residues in such basins, the public water supply system
21 operator shall furnish all information the secretary requires. If the
22 secretary finds that there is any violation of the terms of the permit,
23 that the means of placement and storage exceed the terms of the
24 permit or that any other condition exists by reason of the means of
25 placement and storage that may be detrimental to the health of any
26 inhabitants of the state or to the environment, the secretary shall have
27 the authority to issue an order amending the permit or otherwise
28 requiring the operator to perform remedial measures to curtail or
29 prevent such detrimental conditions.

30 (d) Orders of the secretary under this section, and hearings
31 thereon, shall be subject to the provisions of the Kansas
32 administrative procedure act. Any action of the secretary pursuant to
33 this section is subject to review in accordance with the Kansas judicial
34 review act. The court on review shall hear the case without delay.

35 (e) The secretary shall establish by rule and regulation a system
36 of fees for the inspection and regulation of public water supplies. No
37 such fee shall exceed \$.002 per 1,000 gallons of water sold at retail by a
38 public water supply system. All such fees shall be paid quarterly in the
39 manner provided for fees imposed on retail sales by public water
40 supply systems pursuant to K.S.A. 82a-954, and amendments thereto.
41 The secretary shall remit all moneys collected for such fees to the state
42 treasurer in accordance with the provisions of K.S.A. 75-4215, and
43 amendments thereto. Upon receipt of each such remittance, the state

1 treasurer shall deposit the entire amount in the state treasury to the
2 credit of the public water supply fee fund created by K.S.A. 65-163c,
3 and amendments thereto.

4 (f) There is hereby created an advisory committee to make
5 recommendations regarding:

6 (1) Fees to be adopted by the secretary under subsection (e);

7 (2) means of strengthening on-site technical assistance to public
8 water supply systems;

9 (3) standards for on-site and classroom water treatment operator
10 certification programs, *including training, examinations, continuing*
11 *education and reciprocity;*

12 (4) other matters concerning public water supplies; and

13 (5) to advise the secretary regarding expenditure of moneys in the
14 public water supply fee fund created by K.S.A. 65-163c, and
15 amendments thereto.

16 (g) Such advisory committee shall consist of:

17 (1) One member appointed by the secretary to represent the
18 department of health and environment;

19 (2) one member appointed by the director of the Kansas water office
20 to represent such office; and ~~two~~

21 (3) *four members appointed by the secretary as follows:*

22 (A) One from three nominations submitted by the Kansas section of
23 the American waterworks association; ~~and;~~

24 (B) one from three nominations submitted by the Kansas rural water
25 association;

26 (C) *one from three nominations submitted by the league of Kansas*
27 *municipalities; and*

28 (D) *one from three nominations submitted by Kansas municipal*
29 *utilities, inc.*

30 (h) **Members of the advisory committee shall serve without**
31 **compensation or reimbursement of expenses. The advisory committee**
32 **shall meet at least four times each year and on call of the secretary or a**
33 **majority of the members of the committee.**

34 (i) *On or before February 1 of each year, the secretary shall provide*
35 *a written report to the legislature that includes the number of operator*
36 *examinations administered during the previous two calendar years and the*
37 *pass rates of such examinations, including the pass rates of each separate*
38 *classification of operator.*

39 ~~Section 1.~~ **Sec. 2.** K.S.A. 65-4513 is hereby amended to read as
40 follows: 65-4513. The secretary shall establish a reasonable schedule of
41 fees but in no case shall an individual operator *examination* fee exceed
42 ~~twenty-five dollars (\$25) in any one year~~ **\$200** *or the cost of an individual*
43 *operator certification exam, whichever is less.*

1 Sec.-~~2~~ **3.** K.S.A. 65-4506 and 65-4513 **and K.S.A. 2024 Supp. 65-**
2 **163** are hereby repealed.

3 Sec.-~~3~~ **4.** This act shall take effect and be in force from and after its
4 publication in the statute book.