

SENATE BILL No. 112

By Committee on Local Government, Transparency and Ethics

1-30

1 AN ACT concerning cities and counties; relating to the issuance of
2 building permits; prohibiting cities and counties from requiring land as
3 part of a right-of-way as a condition for issuing a building permit
4 unless the property owner consents and is paid fair compensation.
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6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. (a) No city shall require a real property owner to grant a
8 right-of-way to such city, or any extension of an existing right-of-way as a
9 condition for consideration or approval of any building permit unless such
10 real property owner consents to such grant and the city pays fair
11 compensation to such owner for such grant.

12 (b) Nothing in this section shall prohibit a city from requiring the
13 grant of a right-of-way from two or more adjoining real property owners
14 when such grant is necessary for the improvement of public streets or
15 facilities.

16 Sec. 2. (a) No county shall require a real property owner to grant a
17 right-of-way to such county, or any extension of an existing right-of-way
18 as a condition for consideration or approval of any building permit unless
19 such real property owner consents to such grant and the county pays fair
20 compensation to such owner for such grant.

21 (b) Nothing in this section shall prohibit a county from requiring the
22 grant of a right-of-way from two or more adjoining real property owners
23 when such grant is necessary for the improvement of public roads or
24 facilities.

25 Sec. 3. This act shall take effect and be in force from and after its
26 publication in the statute book.