

## SENATE BILL No. 9

By Committee on Transportation

1-15

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1 AN ACT concerning United States public land surveys; relating to reports  
2 filed with the state historical society; extending the time to file such  
3 reports from 30 to 90 days; amending K.S.A. 2024 Supp. 58-2011 and  
4 repealing the existing section.  
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6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2024 Supp. 58-2011 is hereby amended to read as  
8 follows: 58-2011. (a) Whenever a survey originates from a United States  
9 public land survey corner or any related accessory, the land surveyor shall  
10 file a reference report for each corner or accessory with the secretary of the  
11 state historical society and with the county surveyor for the county or  
12 counties in which the survey corner exists. If there is no county surveyor  
13 of such county, such reference report shall be filed with the county  
14 engineer. If there is no county engineer, such report shall be filed in the  
15 office of the county road department *or in a county office designated by*  
16 *the county commission*. Reports filed with the secretary of the state  
17 historical society may be filed and retrieved using electronic technologies  
18 if authorized by the secretary. Such report shall be filed within ~~30~~ 90  
19 days of the date the references are made. At the time of filing such report with  
20 the secretary of the state historical society, the land surveyor shall pay a  
21 filing fee in an amount fixed by rules and regulations of the secretary of  
22 the state historical society. Fees charged for filing and retrieval of such  
23 reports may be billed and paid periodically.

24 (b) Any person engaged in an activity in which a United States public  
25 land survey corner or any related accessory is likely to be altered,  
26 removed, damaged or destroyed, shall have a person qualified to practice  
27 land surveying establish such reference points as necessary for the  
28 restoration, reestablishment or replacement of the corner or accessory. The  
29 land surveyor shall file a reference report with the secretary of the state  
30 historical society and with the county surveyor for the county or counties  
31 in which the survey corner exists. Such report shall be filed within ~~30~~ 90  
32 days of the date the references are made. At the time of filing such report  
33 with the secretary of the state historical society, the land surveyor shall pay  
34 a filing fee in an amount fixed by rules and regulations of the secretary of  
35 the state historical society.

36 (c) Upon completion of the activity likely to alter, remove, damage or

1 destroy the public land survey corner or related accessory, the land  
2 surveyor shall review the survey corner and its accessories. If the survey  
3 corner or any accessory has been altered, removed, damaged or destroyed,  
4 the land surveyor shall replace the corner or accessory with a survey  
5 monument and file a restoration report with the secretary of the state  
6 historical society and the county surveyor in the county or counties in  
7 which it existed. If the survey corner and accessories are not damaged  
8 during the activity, a restoration report so stating shall be filed with the  
9 secretary of the state historical society and county surveyor's office. Such  
10 report shall be filed within ~~30~~ 90 days after the activity is completed. At  
11 the time of filing such report with the office of the secretary of the state  
12 historical society the land surveyor shall pay a filing fee in an amount  
13 fixed by rules and regulations of the secretary of the state historical  
14 society.

15 (d) Failure to comply with the filing requirements of this section shall  
16 be grounds for the suspension or revocation of the land surveyor's license.

17 (e) The secretary of the state historical society may produce,  
18 reproduce and sell maps, plats, reports, studies and records relating to land  
19 surveys. The secretary of the state historical society shall charge a fee in an  
20 amount to be fixed by rules and regulations of the secretary for the  
21 furnishing of information retrieved from records filed pursuant to this  
22 section and for reproductions or copies of maps, plats, reports, studies and  
23 records filed in such office.

24 (f) All moneys collected by the secretary of the state historical society  
25 under the provisions of this section shall be remitted to the state treasurer  
26 in accordance with the provisions of K.S.A. 75-4215, and amendments  
27 thereto. Upon receipt of each such remittance, the state treasurer shall  
28 deposit the entire amount in the state treasury. Ten percent of each such  
29 deposit shall be credited to the state general fund and the balance shall be  
30 credited to the land survey fee fund, which is hereby created. All  
31 expenditures from such fund shall be made in accordance with  
32 appropriation acts upon warrants approved by the secretary of the state  
33 historical society or a person designated by the secretary of the state  
34 historical society and shall be used only for the purpose of paying the costs  
35 incurred in administering the provisions of this act. After the effective date  
36 of this act, any reference to the secretary of state in regard to  
37 appropriations to the land survey fee fund shall be deemed to refer to the  
38 secretary of the state historical society.

39 (g) The failure of any person to have a land surveyor establish  
40 reference points as required by subsection (b) shall be a class C  
41 misdemeanor.

42 Sec. 2. K.S.A. 2024 Supp. 58-2011 is hereby repealed.

43 Sec. 3. This act shall take effect and be in force from and after its

- 1 publication in the statute book.