

2023 Kansas Statutes

82a-621. Filings with chief engineer and secretary of district; benefit units; subscription to units; use of proceeds from units; sale of water; reinstatement of benefit unit, when. (a) Plans, specifications, proposed operating budget, schedules of unit fees and benefit units, rules and regulations and estimates of cost for any authorized proposed improvement shall be filed with the chief engineer and with the secretary of the district. The total benefits of any such improvement shall be divided into a suitable number of benefit units. Each landowner within the district shall subscribe to a number of such units in proportion to the extent such landowner desires to participate in the benefits of the improvements.

(b) Upon determining a schedule of benefit units and unit fees, the board shall cause a declaration of availability of such units for subscription to be entered in the board's minutes. Any individual, firm, partnership, association or corporation that fails to become a participating member within 90 days after such declaration shall not be qualified to hold office as a director, participate at any meeting or vote at any election held thereafter unless such individual, firm, partnership, association or corporation shall thereafter become a participating member.

(c) As long as the capacity of the district's facilities permits, participating members of the district may subscribe to additional units upon payment of a unit fee for each such unit. Owners of land located within the district who are not participating members may subscribe to such units as the board in its discretion may grant, and upon payment of the unit fee for each such unit shall be entitled to the same rights as original participating members. Proceeds realized from benefit units may be accumulated and used by the district for any lawful purpose, including but not limited to, construction, expansion and improvement of the district's water producing and water transportation facilities.

(d) As long as the capacity of the district's facilities permits, the board of a district shall reinstate any benefit unit forfeited for nonpayment of fees and charges upon payment of:

- (1) All fees and charges due to the district in addition to any fees and charges that would have accrued since the date of forfeiture; and
- (2) a benefit unit reinstatement fee which shall not exceed 20% of the district's current new benefit unit fee.

(e) If the capacity of the district's facilities permits, the district may sell water to persons engaged in hauling water and to any municipal, quasi-municipal or nonprofit corporation organized for any purpose consistent with that for which the district was organized.

History: L. 1957, ch. 540, § 10; L. 1959, ch. 415, § 2; L. 1963, ch. 512, § 5; L. 1965, ch. 556, § 5; L. 1974, ch. 450, § 1; L. 1979, ch. 332, § 1; L. 2017, ch. 46, § 2; L. 2019, ch. 38, § 2; July 1.