

As Amended by House Committee

Session of 2013

HOUSE BILL No. 2074

By Committee on Local Government

1-23

1 AN ACT concerning cities and counties; relating to certain solid waste  
2 disposal areas and restrictions.

3  
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) Except as provided by subsection (b), no city or county  
6 shall adopt by ordinance, resolution or in a solid waste management plan  
7 under K.S.A. 65-3405 or 65-3410, and amendments thereto, restrictions  
8 for any solid waste disposal area within its boundaries if such restrictions  
9 supersede or impair the local legislation of another city or county being  
10 serviced by the same solid waste disposal area **or require another city or**  
11 **county to adopt new solid waste management requirements not**  
12 **currently required by statewide rules and regulations.**

13 (b) A city or county may adopt restrictions for a solid waste disposal  
14 area under subsection (a) if:

15 (1) The city or county owns the solid waste disposal area;

16 ~~(2) the city or county receives consent by each governing body of a~~  
17 ~~city or county outside its corporate boundaries which may be affected by~~  
18 ~~such restrictions; or~~

19 ~~(3) (2)~~ such restrictions apply to the residents of such city or county  
20 but not to residents of another city or county being serviced by the same  
21 solid waste disposal area.

22 (c) This section shall be part of and supplemental to the provisions of  
23 article 34 of chapter 65 of the Kansas Statutes Annotated, and amendments  
24 thereto.

25 Sec. 2. (a) On or before January 1, 2014, the secretary of health and  
26 environment shall prepare, with review and input from operators of  
27 municipal solid waste landfills, haulers of solid waste, business and  
28 residential consumers of haulers of solid waste, cities and counties, a  
29 report on solid waste management in Kansas for the senate committee on  
30 ethics, elections and local government and the house committee on local  
31 government. The report shall include, but not be limited to, the following:

32 (1) A review of statutes, rules and regulations and policies on solid  
33 waste management, including, but not limited to, details on yard waste,  
34 recycling, generation rates, composting, precipitation, source reduction  
35 efforts, population, landfill capacity and gas recovery in landfills; and

36 (2) recommendations for legislative changes and estimates of the cost

1 of the state of implementing such changes.

2 (b) This section shall be part of and supplemental to the provisions of  
3 article 34 of chapter 65 of the Kansas Statutes Annotated, and amendments  
4 thereto.

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