

SENATE BILL No. 337

By Committee on Natural Resources

1-20

Balloon Amendments for SB 337
Senate Committee on Natural Resources
Prepared by Tamera Lawrence
Office of Revisor of Statutes
February 3, 2016

AN ACT concerning water; relating to the water appropriation act; annual water use report; amending K.S.A. 2015 Supp. 82a-732 and repealing the existing section.

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

Section 1. K.S.A. 2015 Supp. 82a-732 is hereby amended to read as follows: 82a-732. (a) The owner of a water right or permit to appropriate water for beneficial use, except for domestic use, shall file or cause to be filed an annual water use report for the previous calendar year on a form prescribed by the chief engineer of the division of water resources of the Kansas department of agriculture on or before March 1 following the end of the previous calendar year. The report shall completely and accurately set forth such water use information as requested by the chief engineer.

(b) ~~Any person failing~~ owner of a water right or permit to appropriate water for beneficial use, except for domestic use, who fails to timely file a water use report or other documents required under the provisions of subsection (a) shall be subject to a civil penalty in an amount not to exceed ~~\$250~~ \$1,000. ~~In addition to assessing a civil penalty as provided in this section, in the event the owner of a water right or permit to appropriate water for beneficial use fails to file or cause to be filed an annual water use report by June 1 of the calendar year in which it is due, the chief engineer may issue an order indefinitely suspending all water use under such water right or permit to appropriate water for beneficial use until such time as the annual water use report has been submitted or the chief engineer has determined that water use has been otherwise sufficiently documented with the division.~~ The chief engineer upon a finding that the owner of a water right or permit to appropriate water for beneficial use has failed to file or cause to be filed such a report may impose a civil penalty or indefinite suspension, or both, as provided in this section.

(c) Any person filing a document knowing it to contain any false information as to a material matter shall be guilty of a class C misdemeanor.

(d) All fines collected by the chief engineer pursuant to this subsection shall be remitted to the state treasurer as provided in K.S.A. 82a-731, and amendments thereto.

(1)

(A) Except as provided in paragraph (B),

\$250; or

(B) for two or more consecutive calendar years, shall be subject to a civil penalty in an amount not to exceed \$1,000

(3)