

SENATE BILL No. 337

By Committee on Natural Resources

1-20

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

1 AN ACT concerning water; relating to the water appropriation act; annual
2 water use report; amending K.S.A. 2015 Supp. 82a-732 and repealing
3 the existing section.
4

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

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

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

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

34 (d) All fines collected by the chief engineer pursuant to this
35 subsection shall be remitted to the state treasurer as provided in
36 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)