

**HOUSE BILL No. 2491**

By Committee on Agriculture and Natural Resources

1-20

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 failing~~ *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~~ *\$1,000. 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~~ *section* shall be remitted to the state treasurer as provided in  
36 K.S.A. 82a-731, and amendments thereto.

1       Sec. 2. K.S.A. 2015 Supp. 82a-732 is hereby repealed.

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