

SENATE BILL No. 337

By Committee on 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) ~~(1) 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):*

18 *(A) Except as provided in paragraph (B), shall be subject to a civil*  
19 *penalty in an amount not to exceed ~~\$250~~ ~~\$1,000~~ \$250; or*

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

22 *(2) In addition to assessing a civil penalty as provided in this section,*  
23 *in the event the owner of a water right or permit to appropriate water for*  
24 *beneficial use fails to file or cause to be filed an annual water use report*  
25 *by June 1 of the calendar year in which it is due, the chief engineer may*  
26 *issue an order indefinitely suspending all water use under such water right*  
27 *or permit to appropriate water for beneficial use until such time as the*  
28 *annual water use report has been submitted or the chief engineer has*  
29 *determined that water use has been otherwise sufficiently documented*  
30 *with the division.*

31 *(3) The chief engineer upon a finding that the owner of a water right*  
32 *or permit to appropriate water for beneficial use has failed to file or cause*  
33 *to be filed such a report may impose a civil penalty or indefinite*  
34 *suspension, or both, as provided in this section.*

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

1 misdemeanor.

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

5 (e) ***The provisions of this section shall be part of and supplemental***  
6 ***to the Kansas water appropriation act, K.S.A. 82a-701 et seq., and***  
7 ***amendment thereto.***

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 K.S.A. 2015 Supp. 82a-732 is hereby repealed.

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