

House Substitute for SENATE BILL No. 64

By Committee on Agriculture and Natural Resources

3-17

1 AN ACT concerning water; relating to rural water districts; amending
2 K.S.A. 82a-617 and repealing the existing section.

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

5 Section 1. K.S.A. 82a-617 is hereby amended to read as follows: 82a-
6 617. (a) Immediately following the granting of incorporation by the board
7 of county commissioners, and at the time and place set out in the notice of
8 hearing, the owners of land within any such district shall select from their
9 number a board of directors. The number of members on ~~said~~ the board,
10 not to exceed nine ~~(9)~~, shall be determined by majority vote of those
11 owners of land present: *Provided*, Any original director who ~~shall fail~~ *fails*
12 to subscribe to one ~~(1)~~ or more benefit units and pay the established unit
13 fee for each unit to which ~~he or she~~ *such director* subscribes within ~~thirty~~
14 ~~(30)~~ 30 days after entry in the minutes of the board of a declaration of
15 availability of such benefit units for subscription, shall forfeit ~~his or her~~
16 *the director's office*.

17 (b) Within seven ~~(7)~~ days after the election of the original board,
18 proposed bylaws shall be submitted for adoption at a meeting of owners of
19 land located within the district, notice of which shall be given to each such
20 landowner as provided in K.S.A. 82a-615, *and amendments thereto*. Those
21 owners of land located within the district present at such special meeting
22 may adopt and amend any of such proposed bylaws and may propose and
23 adopt additional or other bylaws. Such bylaws may be amended at any
24 annual or special meeting of the participating members of the district.

25 (c) *A rural water district shall, so long as the capacity of the system*
26 *permits, reinstate any benefit unit forfeited for non-payment of fees and*
27 *charges due to the district upon payment of the lesser of all such unpaid*
28 *fees and charges, plus any fees and charges that would have accrued since*
29 *the date of the forfeiture, or a new benefit unit fee.*

30 (d) *Any seller or representative of a seller must provide information*
31 *to a prospective purchaser of property, prior to closing, regarding unpaid*
32 *fees and charges associated with rural water districts for which such*
33 *buyer will be responsible.*

34 Sec. 2. K.S.A. 82a-617 is hereby repealed.

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