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300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: House Committee on Agriculture
From: Kyle Hamilton, Assistant Revisor of Statutes
Date: February 5, 2019
Subject: Bill Brief on HB 2085

HB 2085 establishes a time requirement for the reinstatement of forfeited water district benefit units. A benefit unit in a water district is a right that entitles the benefit holder to water service in the district.

In 2017, HB 2080 passed and amended K.S.A. 82a-621 to require boards of rural water districts to reinstate a person's benefit unit that has been forfeited due to delinquent payments after payment of: 1.) the delinquent payments that resulted in the forfeiture and any payments that should have been made since the forfeiture; and 2.) a benefit unit reinstatement fee not to exceed 20% of the district's current new benefit unit fee.

HB 2085 would add the words, "For a period of one year from the date of forfeiture" to the beginning of subsection (d). This means that if a property owner with forfeited rural water service pays both the delinquent fees owed to the district and the reinstatement fee within one year of the forfeiture, the district would be compelled to reinstate the owner's water service. After that one year has passed, reinstatement would be left to the discretion of the rural water district.

HB 2085 would become effective upon publication in the statute book, on July 1, 2019.