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MEMORANDUM

To: House Committee on Agriculture and Natural Resources

From: The Office of Revisor of Statutes

Date: 02/13/2024

Re: H.B. 2651; Requiring a third party that causes damage to crops or land to notify the landowner of such damage, request documentation of existing tenants of such land and to reimburse such landowner and any such tenant in accordance with the existing land lease agreement.

Under subsection (a), if, within the course of a farm tenancy¹, a crop planted by a tenant or land leased by a tenant is damaged by a third party², the third party would be required to do the following: Notify the landowner of the damage; request written documentation of any existing tenant of the damaged crop or land, including their mailing address and a copy of the land lease; and, after receiving that information, send reimbursement to the landowner and tenant for the damage.

Under subsection (b), after receiving a third party's request for written documentation, the landowner would be required to provide the documentation to the third party. Pursuant to subsection (a)(2), if the tenant notified the third party of the damage, the landowner would not be required to provide a copy of the land lease agreement between the landowner and that tenant.

Under subsection (c), if the tenant contacts the third party concerning the damage and discovers that the third party has reimbursed the landowner contrary to the provisions of the land lease agreement, the third party shall send reimbursement to the tenant in accordance with the land lease agreement.

¹ "Farm tenancy" means a leasehold interest in land held by a person who produces crops or provides for the care and feeding of livestock on the land, including by grazing or supplying feed to the livestock.

² "Third party" includes, but is not limited to, an entity with an oil and gas lease or any other entity with an easement upon land that is subject to a farm tenancy

H.B. 2651 would become effective upon publication in the statute book.