

HOUSE BILL No. 2027

By Representative Mast

1-16

9 AN ACT concerning utilities; relating to cities' power to relinquish au-
10 thority to regulate natural gas and water utilities to the state corpora-
11 tion commission; amending K.S.A. 66-104e and repealing the existing
12 section.
13

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

15 Section 1. K.S.A. 66-104e is hereby amended to read as follows: 66-
16 104e. (a) Any city by ordinance may relinquish to the state corpora-
17 tion commission the city's power and authority under K.S.A. 66-104, and
18 amendments thereto, to control and regulate any privately owned and
19 operated *natural gas or water public utility utilities* situated and operated
20 wholly or principally within the city or principally operated for the benefit
21 of the city or its people. Subsequently the city by ordinance may reassert
22 the city's power and authority under K.S.A. 66-104, and amendments
23 thereto, to control and regulate such utility.

24 (b) Within five business days after adoption of any ordinance de-
25 scribed in subsection (a):

26 (1) The city clerk shall forward a certified copy of the ordinance to
27 the state corporation commission; and

28 (2) if the ordinance relinquishes jurisdiction of a privately owned and
29 operated *natural gas or water public utility*, such utility shall file with the
30 commission an application for a certificate of convenience and necessity.

31 (c) Upon receipt of an ordinance relinquishing jurisdiction of a *nat-*
32 *ural gas or water public utility* pursuant to this section, the commission
33 shall assume jurisdiction and control of the privately owned and operated
34 *natural gas or water public utility* as provided by law for other *natural*
35 *gas or water public utilities* under the jurisdiction of the commission. The
36 commission shall maintain such jurisdiction and control until the city sub-
37 sequently adopts and files with the commission an ordinance reasserting
38 the city's power and authority pursuant to K.S.A. 66-104, and amend-
39 ments thereto.

40 (d) A city shall not adopt any ordinance described in subsection (a)
41 more often than once every two years.

42 Sec. 2. K.S.A. 66-104e is hereby repealed.
43

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