

## SENATE BILL No. 52

By Committee on Federal and State Affairs

1-21

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9 AN ACT concerning cities and counties; relating to special benefit dis-  
10 tricts therein; relating to costs of improvements; amending K.S.A. 2008  
11 Supp. 12-6a19 and repealing the existing section.  
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13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 2008 Supp. 12-6a19 is hereby amended to read as  
15 follows: 12-6a19. Whenever the construction of any ~~water or sanitary~~  
16 ~~sewer~~ improvement is initiated by petition pursuant to subsection (2) of  
17 K.S.A. 12-6a04, and amendments thereto, the governing body of the city  
18 may require the owners of property, which benefits from such improve-  
19 ment but which was not included within the original improvement dis-  
20 trict, to pay a benefit fee at the time the owners of such property request,  
21 by petition, to be served by such improvement.

22 The amount of such benefit fee shall not exceed the amount of the  
23 assessment, including principal and interest, which would have been lev-  
24 ied against the property had it been included in the original improvement  
25 district. The benefit fee shall be assessed only against the property de-  
26 scribed in the petition requesting service by the improvement. Unless  
27 otherwise provided by the city, such benefit fee shall be due and payable  
28 at the time the property begins being served by the improvement, and  
29 shall be subject to the same interest, as assessments against property  
30 originally included in the improvement district for such improvement.  
31 Any benefit fees paid hereunder shall be applied: (a) To the remaining  
32 principal and outstanding interest on the bonds issued to finance the  
33 improvement, with a resulting pro rata reduction of the assessments  
34 against property originally included in the improvement district for such  
35 improvement; or (b) the city general bond and interest fund if any of the  
36 cost of the improvement was paid by the city at large.

37 The provisions of this act shall be supplemental to any legal authority  
38 cities may exercise in imposing hookup or connection fees or other user  
39 or regulatory charges for water or sanitary sewer service. The amount of  
40 any hookup or connection fee imposed pursuant to this section shall not  
41 exceed the actual cost of connecting the property to the water or sanitary  
42 sewer.

43 Sec. 2. K.S.A. 2008 Supp. 12-6a19 is hereby repealed.

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