

SENATE BILL No. 496

By Committee on Natural Resources

2-1

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

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

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

25 (b) Within seven ~~(7)~~ days after the election of the original board,
26 proposed bylaws shall be submitted for adoption at a meeting of owners
27 of land located within the district, notice of which shall be given to each
28 such landowner as provided in K.S.A. 82a-615, *and amendments thereto*.
29 Those owners of land located within the district present at such special
30 meeting may adopt and amend any of such proposed bylaws and may
31 propose and adopt additional or other bylaws. Such bylaws may be
32 amended at any annual or special meeting of the participating members
33 of the district.

34 (c) *When land to which a water benefit unit is attached is the subject*
35 *of an action for judicial foreclosure and sale, any benefit unit attached to*
36 *that land shall not be forfeited, or if forfeited, such benefit unit shall be*
37 *reinstated upon the following conditions:*

38 (1) *In the previous 24 months prior to the date of foreclosure, the*
39 *benefit unit has received a payment of any water use charge or other*
40 *monthly charge payable to the rural water district; and*

41 (2) *the foreclosing creditor, its assignee, or the purchaser of the prop-*
42 *erty to which the benefit unit is attached, pays all charges associated with*
43 *such unit including charges for water purchased, monthly minimum fees,*

1 *monthly debt service fees or similar charges, late payment fees and any*
2 *reasonable disconnect and reconnect fees properly charged to such benefit*
3 *units.*

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

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