

SESSION OF 2007

SUPPLEMENTAL NOTE ON SENATE BILL NO. 319

As Amended by Senate Committee on
Federal and State Affairs

Brief*

SB 319, as amended, deals with the repair and sale of unoccupied, residential real estate being sold for delinquent taxes, special assessments, or both.

The bill would authorize counties to permit cities to make repairs to unoccupied, residential real estate to bring the property into compliance with housing code standards during the redemption period.

Under the bill, the county, prior to repairs being made, would have to give 30 days notice to all parties having an interest in the property, including lienholders of record, and the notice would have to be published in a newspaper with general circulation in the county. The notice would have to include the proposed date, description and actual cost of repairs. The city may proceed with the repairs unless a cause of action related to the proposed property repairs is raised by a filing in district court. The cost of the repairs would be included in the redemption of the property. After the redemption period passes and the property is sold, the organization that made the repairs would be reimbursed.

The bill would require the board of county commissioners, 30 days prior to sale, to give notice of the proposed sale to parties having an interest in the property, including lienholders of record, and also by publication in a newspaper with a general circulation within the county. The county may proceed with the sale unless a cause of action dealing with the sale is raised by filing in a district court.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

Proponents of the bill were representatives from the City of Wichita and Newton, and the League of Kansas Municipalities. A representative of the Kansas Banker's Association testified as neutral on the bill. No opponents testified on the bill.

The Senate Committee amended the bill restricting it to unoccupied, residential real estate and including lienholders of record who would have an interest in the property.

The fiscal note indicates that if counties cannot recover the repair costs, expenditures would increase, however, these costs cannot be estimated.