

SESSION OF 2009

**SUPPLEMENTAL NOTE ON
SENATE SUBSTITUTE FOR HOUSE BILL NO. 2032**

As Recommended by Senate Committee on
Natural Resources

Brief*

Senate Sub. for HB 2032 would enact the Kansas Surface Owner Notice Act and amend existing law relating to oil and gas operations.

In addition to defining various terms used in the Act, the bill would authorize the Kansas Corporation Commission (KCC) to develop the necessary rules and regulations for carrying out the Act.

In addition, the bill would require all applications for an intent to drill permit sent to the KCC to include information containing the name and address of the surface owner and the non-binding preliminary estimates of the locations of roads of ingress and egress, any tank battery, and any pipeline or electrical line. The KCC, upon the receipt of an application of an intent to drill, would send a copy of the application to the named surface owner, as well as the contact information of the applicant or the applicant's designee. Specifically, the contact information provided to the surface owner would include the applicant's name, address, phone number, and fax or email address. The KCC would not be required to provide the information if the operator verifies that the application filed with the KCC has been delivered to the surface owner.

The same contact information would be required to be sent to the surface owner when a notice of transfer of operator for wells, gas gathering systems, and underground porosity storage is filed with the KCC and when an oil or gas operator

*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>

files a notice to plug and abandon a well (unless the operator verifies that the notice filed with the KCC has been delivered to the surface owner for either change in operator or notice to plug and abandon). A landowner also may file a request with the KCC to be notified when a well is abandoned.

Background

The original HB 2032 dealt with the unilateral annexation of land. The Senate Committee on Natural Resources removed the provisions dealing with annexation and inserted the provisions of Sub. for SB 184 as amended by the Senate Committee of the Whole.

The original SB 184 was introduced by the Senate Committee on Natural Resources and also dealt with surface owner notification. When taking action on the original bill, the Committee removed the existing language and replaced it with the language found in Sub. for SB 184. The fiscal note on the original SB 184 indicated that the fiscal effects to the KCC were negligible and could be absorbed within existing resources.

The Senate Committee of the Whole amended the bill to make technical changes to the version passed by the Senate Committee and to allow landowners to request notice from the KCC when a well on their property is to be abandoned.