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**Testimony on House Bill 2433
House Committee on Local Government
January 28, 2026
By Todd Luckman, Stumbo Hanson, LLP
on behalf of the Kansas Rural Water Association**

Mr. Chairman and Members of the Committee:

My name is Todd Luckman, an attorney with Stumbo Hanson, LLP, here to represent the Kansas Rural Water Association (“KRWA”). As you may be aware, the KRWA provides training and technical assistance to water and wastewater utilities and has membership of nearly 800 cities and rural water districts. Our firm has provided legal counsel to the Kansas Rural Water Association for more than four decades and represents many cities and rural water districts across the state.

I have been requested to testify in support of HB 2433 on behalf of the Association.

Water sources suitable for use as public water supplies do not fall neatly within political boundaries. Also, rural water districts often include service territory in more than one county, with one or more water sources located in one or another of those counties served. Cities frequently find it necessary to access water supplies located well outside of city limits, sometimes in cooperation with water districts and other public suppliers in other counties. This water is then piped to the places where it is needed to serve homes, farms and businesses. Additional interconnections between these entities can provide an important backup source for emergencies or in drought conditions. These connections can be impaired or threatened if counties take home rule action to prohibit transportation of water.

By statute, regulation of the appropriation and use of water is entirely within the authority of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture. In addition, the Kansas Department of Health and Environment regulates safety and quality of public water supplies. There is no need for additional regulation by Kansas counties in this situation.

It is KRWA’s view that state law prohibits counties from using home rule, K.S.A. 2025 Supp. 19-101a, as authority for creating barriers to the use of water that has been approved for use by the Chief Engineer. HB 2433 would strengthen this prohibition. The last thing rural water districts and cities need in their efforts to efficiently serve the needs of their customers is 105 counties adopting resolutions designed to restrict water from leaving their counties. For that reason, KRWA supports HB 2433.

We will be pleased to answer any questions.

Respectfully,

Todd A. Luckman, for The Kansas Rural Water Association