

KANSAS OFFICE of  
**REVISOR of STATUTES**

LEGISLATURE of THE STATE of KANSAS  
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**MEMORANDUM**

To: Chairman Bergquist  
Members of the House Committee on Local Government

From: The Office of Revisor of Statutes

Date: January 28, 2026

Subject: HB 2433 – Prohibiting counties from regulating the transfer or appropriation of water in conflict with the provisions of Chapter 82a of the Kansas Statutes Annotated.

House Bill No. 2433 (HB 2433) would amend K.S.A. 19-101a, which is the county home rule statute. Counties may generally exempt themselves from an act that is nonuniform in its application to counties. K.S.A. 19-101a provides exceptions to this general home rule authority. HB 2433 amends the statute to add a new exception for the regulation of the transfer or appropriation of water.

Chapter 82a governs the regulation of water and watercourses in Kansas. To the extent that provisions in Chapter 82a are nonuniform, HB 2433 would prohibit counties from exempting themselves from such provisions and imposing their own regulations regarding the transfer or appropriation of water. This prohibition includes requiring any type of license or permit or imposing any condition, limitation, requirement, or fee to transfer or appropriate water. Counties would still be free to adopt zoning and sanitation regulations to regulate the location and use of domestic water wells.

HB 2433 also provides that the prohibition has retroactive application to any existing county resolutions and their effect on any past transfer or appropriation of water.

If enacted, HB 2433 would become effective on publication in the Kansas Register.