

HOUSE BILL No. 2085

By Committee on Agriculture

1-25

1 AN ACT concerning rural water districts; relating to forfeited benefit
2 units; time requirement for reinstatement of; amending K.S.A. 2018
3 Supp. 82a-621 and repealing the existing section.
4

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

6 Section 1. K.S.A. 2018 Supp. 82a-621 is hereby amended to read as
7 follows: 82a-621. (a) Plans, specifications, proposed operating budget,
8 schedules of unit fees and benefit units, rules and regulations and estimates
9 of cost for any authorized proposed improvement shall be filed with the
10 chief engineer and with the secretary of the district. The total benefits of
11 any such improvement shall be divided into a suitable number of benefit
12 units. Each landowner within the district shall subscribe to a number of
13 such units in proportion to the extent such landowner desires to participate
14 in the benefits of the improvements.

15 (b) Upon determining a schedule of benefit units and unit fees, the
16 board shall cause a declaration of availability of such units for subscription
17 to be entered in the board's minutes. Any individual, firm, partnership,
18 association or corporation ~~which~~ *that* fails to become a participating
19 member within 90 days after such declaration shall not be qualified to hold
20 office as a director, participate at any meeting or vote at any election held
21 thereafter unless such individual, firm, partnership, association or
22 corporation shall thereafter become a participating member.

23 (c) As long as the capacity of the district's facilities permits,
24 participating members of the district may subscribe to additional units
25 upon payment of a unit fee for each such unit. Owners of land located
26 within the district who are not participating members may subscribe to
27 such units as the board in its discretion may grant, and upon payment of
28 the unit fee for each such unit shall be entitled to the same rights as
29 original participating members. Proceeds realized from benefit units may
30 be accumulated and used by the district for any lawful purpose, including
31 but not limited to, construction, expansion and improvement of the
32 district's water producing and water transportation facilities.

33 (d) *For a period of one year from the date of forfeiture*, the board of a
34 district shall reinstate any benefit unit forfeited for nonpayment of fees and
35 charges upon payment of:

36 (1) All fees and charges due to the district in addition to any fees and

1 charges that would have accrued since the date of forfeiture; and
2 (2) a benefit unit reinstatement fee which shall not exceed 20% of the
3 district's current new benefit unit fee.

4 (e) If the capacity of the district's facilities permits, the district may
5 sell water to persons engaged in hauling water and to any municipal,
6 quasi-municipal or nonprofit corporation organized for any purpose
7 consistent with that for which the district was organized.

8 Sec. 2. K.S.A. 2018 Supp. 82a-621 is hereby repealed.

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