



KANSAS
ASSOCIATION OF
COUNTIES

715 SW 10th Avenue • Topeka, KS 66612
785-272-2585 • www.kansascounties.org

Senate Utilities Committee
January 27, 2022
SB 324

Kansas Association of Counties
Neutral Testimony

Chairman Thompson and members of the Committee:

Thank you for allowing the Kansas Association of Counties to offer testimony on SB 324, which would provide for the termination of easements and leases for wind and solar facilities.

The decision of whether to enter into an easement or lease agreement for the development of wind and solar facilities is a decision made between a landowner and a private entity. Counties record these leases, but do not generally take other action on such leases. These private agreements are handled between the landowner and developer.

The Register of Deeds office is a keeper of records, not an arbiter of disputes. It is certainly appropriate for issues of land rights to be filed with the Register of Deeds. There is concern, however, that requiring the notice of termination to be filed with the Register of Deeds without some other accompanying order or action to cancel or terminate that lease, that the Register of Deeds will be tasked with determining the validity of the notice. This is not the function of the Register of Deeds Office.

For these reasons, KAC would respectfully ask that the committee carefully consider these issues before making any recommendation on this bill. Thank you.

Jay Hall
Deputy Director and General Counsel
Kansas Association of Counties
hall@kansascounties.org
(785)272-2585