

## HOUSE BILL No. 2651

By Committee on Appropriations

Requested by Representative Waymaster

1-31

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1 AN ACT concerning agriculture; relating to farm tenancies; requiring a  
2 third party that causes damage to crops or land to notify the landowner  
3 of such damage, request documentation of existing tenants of such land  
4 and to reimburse such landowner and any such tenant in accordance  
5 with the existing land lease agreement.  
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7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. (a) If, within the course of a farm tenancy, any crop planted  
9 by a tenant or a designee thereof or land leased by a tenant is damaged by  
10 a third party, such third party shall:

11 (1) Notify the landowner of such damage;

12 (2) request written documentation of any existing tenant of such  
13 damaged crop or land, including the mailing address of such tenant and a  
14 copy of the land lease agreement between such landowner and tenant. If  
15 the tenant notified the third party of such damaged crop or land, the  
16 landowner shall not be required to provide a copy of such land lease  
17 agreement; and

18 (3) upon receiving such written documentation or notification, send  
19 reimbursement for such damage to the landowner and tenant, as  
20 applicable, in accordance with the provisions of such notification or such  
21 land lease agreement.

22 (b) Upon receiving a request for written documentation of an existing  
23 tenant pursuant to subsection (a), the landowner shall provide such written  
24 documentation to the third party.

25 (c) If, upon discovering the damage caused by the third party, the  
26 tenant of such land contacts the third party and discovers that the third  
27 party has reimbursed the landowner contrary to the provisions of the land  
28 lease agreement, the third party shall send reimbursement to the tenant in  
29 accordance with the land lease agreement.

30 (d) As used in this section:

31 (1) "Farm tenancy" means a leasehold interest in land held by a  
32 person who produces crops or provides for the care and feeding of  
33 livestock on the land, including by grazing or supplying feed to the  
34 livestock.

35 (2) "Third party" includes, but is not limited to, an entity with an oil

1 and gas lease or any other entity with an easement upon land that is subject  
2 to a farm tenancy.

3 Sec. 2. This act shall take effect and be in force from and after its  
4 publication in the statute book.