

HOUSE BILL No. 2080

By Committee on Water and Environment

1-18

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

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

6 Section 1. K.S.A. 82a-621 is hereby amended to read as follows: 82a-
7 621. (a) Plans, specifications, proposed operating budget, schedules of unit
8 fees and benefit units, rules and regulations; *and* estimates of cost for any
9 authorized proposed improvement shall be filed with the chief engineer
10 and with the secretary of the district. The total benefits of any such
11 improvement shall be divided into a suitable number of benefit units. Each
12 landowner within the district shall subscribe to a number of such units in
13 proportion to the extent ~~he or she~~ *such landowner* desires to participate in
14 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 ~~its~~ *the board's* minutes and any individual who fails to
18 become a participating member within ~~thirty (30)~~ 30 days thereafter shall
19 not be eligible to hold office as a director, ~~nor shall~~. Any individual, firm,
20 partnership, association or corporation which fails to become a
21 participating member within ~~ninety (90)~~ 90 days after such declaration
22 *shall not* be qualified to participate at any meeting or vote at any election
23 held thereafter unless such individual, firm, partnership, association or
24 corporation shall thereafter become a participating member.

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

35 (d) *The board of a district shall reinstate any benefit unit forfeited for*
36 *nonpayment of fees and charges upon payment of:*

1 (1) *All fees and charges due to the district in addition to any fees and*
2 *charges that would have accrued since the date of forfeiture; and*

3 (2) *a benefit unit reinstatement fee which shall not exceed 20% of the*
4 *district's current new benefit unit fee.*

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

9 Sec. 2. K.S.A. 82a-621 is hereby repealed.

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