

SENATE BILL No. 337

By Committee on Natural Resources

1-20

1 AN ACT concerning water; relating to the water appropriation act; annual
2 water use report; amending K.S.A. 2015 Supp. 82a-732 and repealing
3 the existing section.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2015 Supp. 82a-732 is hereby amended to read as
7 follows: 82a-732. (a) The owner of a water right or permit to appropriate
8 water for beneficial use, except for domestic use, shall file *or cause to be*
9 *filed* an annual water use report *for the previous calendar year* on a form
10 prescribed by the chief engineer of the division of water resources of the
11 Kansas department of agriculture on or before March 1 following the end
12 of the previous calendar year. The report shall completely and accurately
13 set forth such water use information as requested by the chief engineer.

14 (b) **(1)** ~~Any person failing~~ *owner of a water right or permit to*
15 *appropriate water for beneficial use, except for domestic use, who fails to*
16 *timely file a water use report or other documents required under the*
17 *provisions of subsection (a):*

18 **(A)** *Except as provided in paragraph (B), shall be subject to a civil*
19 *penalty in an amount not to exceed ~~\$250~~ ~~\$1,000~~ \$250; or*

20 **(B)** *for two or more consecutive calendar years, shall be subject to a*
21 *civil penalty in an amount not to exceed \$1,000.*

22 **(2)** *In addition to assessing a civil penalty as provided in this section,*
23 *in the event the owner of a water right or permit to appropriate water for*
24 *beneficial use fails to file or cause to be filed an annual water use report*
25 *by June 1 of the calendar year in which it is due, the chief engineer may*
26 *issue an order indefinitely suspending all water use under such water right*
27 *or permit to appropriate water for beneficial use until such time as the*
28 *annual water use report has been submitted or the chief engineer has*
29 *determined that water use has been otherwise sufficiently documented*
30 *with the division.*

31 **(3)** The chief engineer upon a finding that the owner of a water right
32 or permit to appropriate water for beneficial use has failed to file *or cause*
33 *to be filed* such a report may impose a civil penalty *or indefinite*
34 *suspension, or both,* as provided in this section.

35 (c) Any person filing a document knowing it to contain any false
36 information as to a material matter shall be guilty of a class C

1 misdemeanor.

2 (d) All fines collected by the chief engineer pursuant to this
3 ~~subsection~~ *section* shall be remitted to the state treasurer as provided in
4 K.S.A. 82a-731, and amendments thereto.

5 (e) ***The provisions of this section shall be part of and supplemental***
6 ***to the Kansas water appropriation act, K.S.A. 82a-701 et seq., and***
7 ***amendment thereto.***

8 Sec. 2. K.S.A. 2015 Supp. 82a-732 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.