

STATE OF KANSAS

SENATE CHAMBER

MADAM PRESIDENT:

I move to amend **SB 31**, as amended by Senate Committee, on page 2, in line 13, by striking all after "(e)"; by striking all in lines 14 through 20; in line 21, by striking "(h)"; by striking all in lines 24 through 43;

By striking all on pages 3 and 4;

On page 5, by striking all in lines 1 through 6; following line 6, by inserting:

"Sec. 2. K.S.A. 12-1751 is hereby amended to read as follows: 12-1751. (a) The governing body of any city shall have the power to cause the repair or removal of, or to remove any structure located within the city, which may have become unsafe or dangerous.

(b) The governing body of any city shall have the power to cause the ~~rehabilitation of or to rehabilitate~~ sale of any abandoned property located within the city.

Sec. 3. K.S.A. 12-1752 is hereby amended to read as follows: 12-1752. Whenever the enforcing officer files with the governing body of the city a statement in writing that any structure, describing the same and where located, is unsafe or dangerous or is abandoned property, the governing body, by resolution, shall fix a time and place at which the owner, the owner's agent, any lienholders of record and any occupant of such structure may appear and show cause why such structure should not be condemned and ordered repaired or demolished in the case of unsafe or dangerous structures or ~~rehabilitated~~ sold in the case of abandoned property. Such resolution shall be published once each week for two consecutive weeks on the same day of each week. At least 30 days shall elapse between the last publication and the date set for the hearing. A copy of the resolution shall be mailed by certified mail within three days after its first publication to each such owner, agent, lienholder and occupant, at the

last known address and shall be marked "deliver to addressee only."

Sec. 4. K.S.A. 12-1753 is hereby amended to read as follows: 12-1753. On the date fixed for hearing or any adjournment thereof, the governing body shall hear all evidence submitted by the owner, the owner's agent, lienholders of record and occupants having an interest in such structure as well as evidence submitted by the enforcing officer filing the statement and shall make findings by resolution. If the governing body of the city finds that such structure is unsafe or dangerous, such resolution shall direct the structure to be repaired or removed and the premises made safe and secure. If the governing body of the city finds that such structure is abandoned property, the governing body may authorize the ~~rehabilitation~~ sale of such property as provided by ~~K.S.A. 12-1756a~~ section 5, and amendments thereto. Such resolution shall be published once in the official city paper and a copy mailed to the owners, agents, lienholders of record and occupants in the same manner provided for the notice of hearing. The resolution shall fix a reasonable time within which the repair or removal of such structure shall be commenced and a statement that if the owner of such structure fails to commence the repair or removal of such structure within the time stated or fails to diligently prosecute the same until the work is completed, the governing body will cause the structure to be repaired or razed and removed in the case of unsafe or dangerous structures or ~~rehabilitated~~ sale in the case of abandoned property.

New Sec. 5. (a) Any city that has determined that property meets the definition of abandoned property as defined in K.S.A. 12-1750, and amendments thereto, may file a petition in district court seeking the court's determination that such property is abandoned.

(b) If the court finds such property has been abandoned, the court shall issue an order allowing the city to initiate a judicial tax foreclosure sale as provided in K.S.A. 79-2801 et seq., and amendments thereto.";

Also on page 5, in line 7, before "K.S.A" by inserting "K.S.A. 12-1751, 12-1752, and 12-1753 and"; also in line 7, by striking " 12-1756a and" and inserting ", 12-1756b, 12-1756c, 12-1756d,"; also

in line 7, after "12-1756e" by inserting ", 12-1756f and 12-1756g";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "rehabilitation" and inserting "sale"; in line 2, after "amending" by inserting "K.S.A. 12-1751, 12-1752 and 12-1753 and"; also in line 2, by striking "and 12-1756a"; in line 3, after "Supp." by inserting "12-1756b, 12-1756c, 12-1756d,"; in line 4, after "1756e" by inserting ", 12-1756f and 12-1756g"

Senator _____