AN ACT concerning water; establishing a water law study commission.

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

Section 1. (a) There is hereby established the Kansas water law study commission. The commission shall work under the direction of the Kansas water authority.

(b) The commission shall consist of three principal investigators selected by the director of the Kansas water office. The principal investigators shall be licensed Kansas attorneys with extensive scholarly and practical experience in Kansas water law, including transactional law and litigation.

(c) The principal investigators shall be independent consultants. No lawyer-client relationship shall be established or deemed to exist between such investigators and the state of Kansas or any agency thereof.

(d) The commission shall conduct a comprehensive Kansas water law study that includes, but is not limited to:

(1) A review of the following acts:

(A) Chapter 42 of the Kansas Statutes Annotated, and amendments thereto;

(B) the Kansas water appropriation act, K.S.A. 82a-701 et seq., and amendments thereto, with an emphasis on permanent water supply depletion;

(C) the groundwater management district act, K.S.A. 82a-1020 et seq., and amendments thereto;

(D) the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto;

(E) the water assurance program act, K.S.A. 82a-1330 et seq., and amendments thereto;

(F) the Kansas water transfer act, K.S.A. 82a-1501 et seq., and amendments thereto;

(2) an examination of the following:

(A) Any ambiguities or textual issues in the provisions of the acts listed in subsection (d)(1);

(B) changes in federal water law since 1957 that affect the protection and enforcement of Kansas water rights, including, but not limited to, Kansas' rights to interstate water resources; and
(C) changes in federal and state environmental law, including, but not limited to, the endangered species act of 1973; and

(3) an analysis of the following:

(A) Takings issues under Kansas water law; and

(B) whether Kansas should consider conducting water rights adjudication proceedings throughout the state.

(e) The findings of the comprehensive Kansas water law study shall be submitted to the Kansas water authority and the director of the Kansas water office for review. A report on the findings of the comprehensive Kansas water law study and any recommendations shall be submitted and presented to the house standing committees on agriculture and water and environment and the senate standing committee on agriculture and natural resources on or before the last day of the 2020 regular legislative session.

(f) The principal investigators on the commission shall receive compensation for serving on the commission and shall be paid subsistence allowances, mileage and other expenses provided in K.S.A. 75-3223, and amendments thereto, from moneys appropriated therefor to the Kansas water office.

(g) The provisions of this section shall expire on July 1, 2021.

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