

As Amended by House Committee

HOUSE BILL No. 2085

By Committee on Agriculture

1 AN ACT concerning rural water districts; relating to forfeited benefit
2 units; time requirement for reinstatement of; amending K.S.A. 2018
3 Supp. 82a-621 and repealing the existing section.

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

5 Section 1. K.S.A. 2018 Supp. 82a-621 is hereby amended to read as
6 follows: 82a-621. (a) Plans, specifications, proposed operating budget,
7 schedules of unit fees and benefit units, rules and regulations and estimates
8 of cost for any authorized proposed improvement shall be filed with the
9 chief engineer and with the secretary of the district. The total benefits of
10 any such improvement shall be divided into a suitable number of benefit
11 units. Each landowner within the district shall subscribe to a number of
12 such units in proportion to the extent such landowner desires to participate
13 in the benefits of the improvements.

14 (b) Upon determining a schedule of benefit units and unit fees, the
15 board shall cause a declaration of availability of such units for subscription
16 to be entered in the board's minutes. Any individual, firm, partnership,
17 association or corporation which fails to become a participating
18 member within 90 days after such declaration shall not be qualified to hold
19 office as a director, participate at any meeting or vote at any election held
20 thereafter unless such individual, firm, partnership, association or
21 corporation shall thereafter become a participating member.

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

32 (d) ~~For a period of one year from the date of forfeiture~~ As long as the
33 capacity of the district's facilities permits, the board of a district shall
34 reinstate any benefit unit forfeited for nonpayment of fees and charges
35 upon payment of:

Proposed Amendment for HB 2085
As amended by House Committee
Senate Committee on Agriculture and Natural Resources
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water; relating to public water supply systems; municipal loans;
reinstatement of rural water district benefit units
K.S.A. 65-163i and

Section 1. K.S.A. 65-163i is hereby amended to read as follows: 65-163i. (a)
Municipalities which desire the provision of a loan under this act shall submit
an application therefor to the secretary. Applications shall be in such form
and shall include such information as the secretary shall require and shall be
submitted in a manner and at a time to be determined by the secretary.

(b) The secretary may enter into agreements with any municipality for the
provision of a loan thereto for payment of all or a part of project costs and
any municipality may enter into such an agreement and may accept such loan
when so authorized by the municipal governing body. The purposes of the
loan to be provided, the amount thereof, the interest rate thereon and the
repayment terms and conditions thereof, all of which may vary among
municipalities, shall be included in the agreements. Loans shall be provided
at or below market interest rates. All such agreements with municipalities
shall require that municipalities establish a dedicated source of revenue for
repayment of the loans as provided in K.S.A. 65-163j, and amendments
thereof. Such agreements shall further provide that repayment of any loan
received shall begin not later than one year after completion of the project
and that such loan shall be repaid in full no later than 20 40 years thereafter.

(c) If a municipality to which a loan is made available under this act fails to
enter into an agreement with the secretary for the provision of such loan in
accordance with the requirements of this act, the secretary may make the
amount of the loan available for one or more other projects on the priority
list.

(d) The secretary shall provide any municipality, upon request, with
technical advice and assistance regarding a project or an application for a
loan for the payment of all or part of project costs.

And by renumbering remaining sections accordingly

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. 2018 Supp. 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.

K.S.A. 65-163i and
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