AN ACT concerning the state corporation commission; relating to electric utilities; electric rates; certain charges prohibited; amending K.S.A. 66-117d and repealing the existing section.

WHEREAS, The Energy Fairness Act will protect Kansans and their right to manage their energy usage in order to lower bills without penalty or discrimination by preventing demand charges for Westar/Kansas City Power & Light/Evergy or the Empire District's residential customers.

Now, therefore:

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

Section 1. K.S.A. 66-117d is hereby amended to read as follows: 66-117d. (a) No electric or gas utility providing electrical or gas service in this state shall consider the use of any renewable energy source other than nuclear by a customer as a basis for establishing higher rates or charges for any service or commodity sold to such customer nor shall any such utility subject any customer utilizing any renewable energy source other than nuclear to any other prejudice or disadvantage on account of the use of any such renewable energy source.

(b) No utility as defined in K.S.A. 66-1264, and amendments thereto, providing electrical service in this state shall base any rate, joint rate, toll, charge or classification or schedule of charges on different energy usage patterns of a distributed generation retail customer.

Sec. 2. K.S.A. 66-117d is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.