

Session of 2017

SENATE BILL No. 31

By Committee on Ethics, Elections and Local Government

1-17

1 AN ACT concerning cities; relating to the rehabilitation of abandoned
2 property; amending K.S.A. 2016 Supp. 12-1750 and 12-1756a and
3 repealing the existing sections; also repealing K.S.A. 2016 Supp. 12-
4 1756e.

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

7 Section 1. K.S.A. 2016 Supp. 12-1750 is hereby amended to read as
8 follows: 12-1750. As used in this act:

9 (a) "Structure" means any building, wall or other structure.

10 (b) "Enforcing officer" means the building inspector or other officer
11 designated by ordinance and charged with the administration of the
12 provisions of this act.

13 (c) ~~any~~ "Abandoned property" means:

14 (1) Any residential real estate for which taxes are delinquent for the
15 preceding two years and which has been unoccupied continuously by
16 persons legally in possession for the preceding 90 days; ~~or~~

17 (2) ~~any residential real estate which has been unoccupied~~
18 ~~continuously by persons legally in possession for the preceding 15 months~~
19 ~~and which has a blighting influence on surrounding properties, unless the~~
20 ~~exterior of the property is being maintained and the property is either the~~
21 ~~subject of a probate action, action to quiet title or other ownership~~
22 ~~dispute, or the property is subject to a mortgage; or~~

23 (3) ~~commercial real estate for which the taxes are delinquent for the~~
24 ~~preceding two years and which has a blighting influence on surrounding~~
25 ~~properties. "Commercial real estate" means any real estate for which the~~
26 ~~present approved use is other than one to four residential units or for~~
27 ~~agricultural purposes.~~

28 (d) "Blighting influence" means conditions in such structure which
29 are dangerous or injurious to the health, safety or ~~morals welfare~~ of the
30 occupants of such buildings or other residents of the municipality ~~or which~~
31 ~~have an adverse impact on properties in the area.~~ Such conditions may
32 include, but are not limited to, the following: Defects increasing the
33 hazards of fire, accident, or other calamities; air pollution; ~~light or lack of~~
34 ~~sanitary facilities; dilapidation; disrepair; structural defects; uncleanliness;~~
35 ~~dead and dying trees, limbs or other unsightly natural growth or unsightly~~
36 ~~appearances that constitute a blight to adjoining property, the~~

(1)

(A)

(B)

(C)

(2) "Abandoned property" shall not mean any real estate where the owner of such real estate is known and has expressed in writing to the governing body a desire to retain ownership and maintain such real estate and has brought the property into code compliance within 90 days of such expressed desire.