

SESSION OF 2006

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE BILL NO. 2592**

As Agreed to March 23, 2006

Brief*

HB 2592 would permit a lien to be placed on a property, by a municipal utility providing service to such property, if the property owner does not pay for municipal utility charges. Any such lien would be placed on the property tax roll for collection. A tenant's unpaid municipal utility service charges would not constitute a lien on the property.

The bill would be uniformly applicable to all cities and would provide that the only reason for refusing to provide municipal utility services to a tenant would be the existence of unpaid utility bills. Municipal utilities would be permitted to charge a deposit to be paid by the customer. Any such deposit would not be permitted to exceed three month's average bill. Rural water districts would not be covered by the bill.

Conference Committee Action

The Conference Committee amended the bill to limit the amount of utility deposit that can be required.

Background

Representative Frank Miller, the primary sponsor of the bill, presented testimony in support of the bill at the House Utilities Committee hearing. A representative of the Associated Landlords of Kansas and an individual also testified in favor of the bill.

The Kansas Rural Water Association and the Andover City Administrator testified in opposition to the bill at the House Committee hearing.

Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. The conference committee summary report may be accessed on the Internet at <http://www.kslegislature.org>

The House Committee on Utilities amended the bill to authorize municipal utilities to charge a deposit and to limit the amount of that deposit to the amount of an average expected month's bill for use of the utility's service. The House Committee also excluded rural water districts from the provisions of the bill.

Representative Frank Miller testified in support of the bill at the Senate Committee hearing. Representative Miller suggested an amendment to clarify that the bill would be uniformly applicable to all cities.

A representative of the League of Kansas Municipalities testified in opposition of the bill.

The Senate Committee amended the bill to clarify that the bill would be uniformly applicable to all cities. Additionally, the Senate Committee amended the bill to strike the language limiting the dollar amount on a deposit a utility owned and operated by a municipality would be able to require.

The Division of the Budget's fiscal note on the bill indicated that the fiscal impact cannot be determined.