

As Amended by House Committee

(Corrected)

Session of 2012

HOUSE BILL No. 2646

By Committee on Local Government

2-7

1 AN ACT concerning cities; relating to abandoned property and  
2 qualifications thereof; amending K.S.A. 2011 Supp. 12-1750 and  
3 repealing the existing section.

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

6 Section 1. K.S.A. 2011 Supp. 12-1750 is hereby amended to read as  
7 follows: 12-1750. As used in this act:

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

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

12 (c) "Abandoned property" means:

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

16 (2) *commercial real estate for which the taxes are delinquent for the*  
17 *preceding ~~three~~ two years and which ~~has~~ have a blighting influence on the*  
18 *surrounding ~~property~~.* **surrounding properties.** "Commercial real  
19 estate" means any real estate for which the present use is other than  
20 one to four residential units or for agricultural purposes.

21 (d) "Blighting influence" means conditions in such structure  
22 which are dangerous or injurious to the health, safety or morals of the  
23 occupants of such buildings or other residents of the municipality or  
24 which have an adverse impact on properties in the area. Such  
25 conditions may include, but are not limited to, the following: Defects  
26 increasing the hazards of fire, accident, or other calamities; air  
27 pollution; light or sanitary facilities; dilapidation; disrepair;  
28 structural defects; uncleanliness; dead and dying trees, limbs or other  
29 unsightly natural growth or unsightly appearances that constitute a  
30 blight to adjoining property, the neighborhood or the city; walls,  
31 sidings or exteriors of a quality and appearance not commensurate  
32 with the character of the properties in the neighborhood; unsightly  
33 stored or parked material, equipment, supplies, machinery, trucks or  
34 automobiles or parts thereof; vermin infestation; inadequate

1 **drainage; or any violation of health, fire, building or zoning**  
2 **regulations.**

3 ~~(d)~~ **(e)** "Organization" means any nonprofit corporation organized  
4 under the laws of this state and which has among its purposes the  
5 improvement of housing.

6 ~~(e)~~ **(f)** "Rehabilitation" means the process of improving the property  
7 into compliance with applicable fire, housing and building codes.

8 ~~(f)~~ **(g)** "Parties in interest" means any owner or owners of record,  
9 judgment creditor, tax purchaser or other party having any legal or  
10 equitable title or interest in the property.

11 ~~(g)~~ **(h)** "Last known address" includes the address where the property  
12 is located, or the address as listed in the tax records.

13 Sec. 2. K.S.A. 2011 Supp. 12-1750 is hereby repealed.

14 Sec. 3. This act shall take effect and be in force from and after its  
15 publication in the statute book.

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