

SESSION OF 2012

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2646**

As Amended by House Committee on Local  
Government

**Brief\***

HB 2646, as amended, would add commercial real estate property to the set of statutes dealing with unsafe or dangerous structures and abandoned property. This would be accomplished by expanding the definition of abandoned structures to include commercial real estate property for which the taxes are delinquent for the preceding two years and which has a blighting influence on surrounding properties.

Commercial real estate would be defined as any real estate for which the present use is other than one to four residential units or for agricultural purposes.

The bill would define "blighting influence" as conditions in the structure which are dangerous or injurious to the health, safety, or morals of the building occupants or other residents of the municipality, or which have an adverse impact on properties in the area. The bill lists a number of such conditions in the definition, which may result in a blighting influence.

**Background**

Current law on unsafe and abandoned structures does not include provisions regarding commercial property or a definition for commercial property.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Representatives from the City of Lenexa, the City of Topeka, and the League of Kansas Municipalities appeared in support of the bill. Each of the proponents expressed that, with the downturn in the economy, more and more commercial property was being abandoned, and the blighting influence on surrounding property was damaging property values.

A representative from the Associated Landlords of Kansas appeared with a potential amendment to the bill, requesting that the definition of abandoned residential property due to tax delinquency be changed to three years to match the definition of commercial property in Kansas statutes.

The House Committee on Local Government amended the bill in two ways. The Committee amended the definition of the term "blighting influence." The Committee also changed the definition of abandoned property as it relates to tax delinquent commercial property, by reducing the number of years for which taxes must be delinquent from three to two.

According to the fiscal note prepared by the Division of Budget on the original bill, the League of Kansas Municipalities states that the fiscal effect on cities cannot be determined because the number of properties affected is unknown.