

HB 2433 Support

For 11 years Edwards County has fought Hays and Russell's effort to develop water rights they own as a long-term sustainable water supply. Edwards County intervened in the State regulatory process to block the project. After a ruling did not go its way, Edwards County incorporated Kansas water law into its zoning regulations, hoping to force Hays and Russell to follow a second regulatory process that it controlled. This is illegal, and Hays and Russell have asked the Legislature to adopt HB 2433 clarifying State control of the water appropriation/transfer process in order to about a lawsuit that could cost Hays and Russell water customers millions.

Representative Wasinger sponsored HB 2433 and helped shepherd it through the House. The bill is now in the Senate Committee on Local Government Transparency and Ethics, and a hearing is scheduled next Thursday the 26th. It is important that committee members hear from the key players in Hays about the importance of passing this bill.

Below are the members of the Committee and their emails. On the next page is sample language for an email. It would be very helpful if your members could reach out via email and express support for the bill.

Committee Page:

https://kslegislature.gov/li/b2025_26/committees/ctte_s_local_government_transparency_and_ethics_1/

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Senators,

My name is ____, and I am writing in support of House Bill 2433.

HB 2433 clarifies that the State of Kansas governs the regulation and use of water in Kansas. It would prohibit Counties from duplicating State water law and regulations in local codes. This legislation will ensure that all water rights in Kansas are governed by uniform and consistent laws and regulations, controlled by the statutorily authorized State agencies.

If counties are allowed to duplicate State water law in local zoning codes, it could potentially result in 105 distinct and non-uniform regulatory processes that water right owners would have to follow, in addition to the mandated State process. A water right owner may have rights in multiple counties associated with the same use, further complicating matters.

Allowing counties to duplicate State water law and regulations in local zoning code could result in those processes being weaponized against a specific use. Dairies, feedlots, power plants, ethanol facilities, data centers, public water suppliers, and other uses of water could be targeted, not for any legitimate land use consideration, but via a duplicate regulatory process involving water rights, disguised as a land use consideration.

HB 2433 matters to employers because it confirms that once a project meets state water requirements, counties may not impose additional permits, conditions, or fees related to the transfer or appropriation of water.

For businesses, water reliability is not theoretical. It determines whether we can operate, expand, recruit and retain excellent employees and invest with confidence.

Our region represents a two billion dollar economy that contributes significant tax revenue to the State, yet even moderate drought places that economy at risk, with state wide consequences.

The Cities of Hays and Russell have complied with every required State process to secure a sustainable water supply, and the State has concluded the project will not impair other water rights and provides significant statewide benefit.

When rules change after the fact, investment slows and jobs are delayed.

HB 2433 will provide the predictability businesses need to commit capital and create jobs in Kansas.

For these reasons, we urge your support of HB 2433. Thank you