

HB 1001 -- ABANDONED PROPERTY

SPONSOR: McCann Beatty

This bill allows a person who is not the owner of real property in Kansas City or who is a creditor holding a lien in interest on the property and who suspects the real property may be abandoned to enter the premises to visually inspect the property to determine whether it is abandoned. If the person makes a good faith determination based on the inspection that the property is abandoned, the person may secure the property, remove trash or debris from the grounds, landscape, maintain, or mow the grounds, or remove or paint over graffiti. This bill also provides civil immunity from such conduct unless the act or omission constitutes gross negligence or willful, wanton, or intentional misconduct.

The bill specifies that, in the case of real property subject to a mortgage or deed of trust, the creditor holding the debt secured by the mortgage or deed of trust may not enter the premises of the real property if the entry is barred by an automatic stay issued by a bankruptcy court.

This bill is similar to SB 299 (2017).