The Private Property Protection Act, K.S.A. 77-701 et seq., requires the Attorney General to compile and annually update guidelines to be used by state agencies in determining whether proposed governmental actions may constitute a taking of private property. These guidelines are to be based on cases decided by the United States Supreme Court and the Kansas Supreme Court.\(^1\) Governmental action is defined as legislation, regulations or directives, or agency guidelines and procedures for the issuing of licenses or permits.\(^2\) The Act expressly excludes other types of governmental action, such as the formal exercise of eminent domain.\(^3\)

Under the criteria of the Act, there are no cases to include in the 2020 update to the Attorney General’s Guidelines.\(^4\)

---

\(^1\) K.S.A. 77-704.  
\(^2\) K.S.A. 77-703(b)(1).  
\(^3\) K.S.A. 77-703(b)(2).  
\(^4\) The original guidelines are published at 14 Kan. Reg. 1690-92 (Dec. 21, 1995).