Session of 2026

HOUSE BILL No. 2793

By Committee on Appropriations

Requested by Representative Tarwater

3-6

AN ACT enacting the Kansas sports facilities authority act to establish a sports authority to provide for the construction, financing and management of certain sports facilities and sports facility infrastructure and create venues for professional sports and other events.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) Sections 1 through 8, and amendment thereto, shall be known and may be cited as the Kansas sports facilities authority act.

(b) The purpose of the act is to provide for the construction, financing, management and long-term use of sports facilities and sports facility infrastructure as venues for professional sports and a broad range of other civic, community, athletic, educational, cultural and commercial activities. The legislature finds that the expenditure of public money for this purpose is necessary, serves a public purpose and promotes the general welfare, and that property acquired by the Kansas sports facilities authority for the construction of sports facilities and sports facilities infrastructure is acquired for a public use and serves a public purpose. The legislature further finds that any provision in a lease or use agreement with a professional sports team that requires such team to play substantially all of its home games in a publicly funded sports facility for the duration of the lease or use agreement serves a unique public purpose for which enforcement is essential through the remedies of specific performance and injunctive relief.

Sec. 2. As used in this act:

(a) "Act" means the Kansas sports facilities authority act.

(b) "Authority" means the Kansas sports facilities authority established under section 3, and amendments thereto.

(c) "Professional sports" means the national football league.

(d) "Professional sports team" means an organization that is a franchised member of the national football league engaged in the business of professional American football.

(e) "Sports facility" means, as designed, constructed, financed or managed pursuant to this act, a stadium, arena, field or other similar structure, including a practice facility for a professional sports team or a professional sports team headquarters building, and any enclosed or open-

air entertainment or event venue, including, but not limited to, a recreational venue such as a ballpark, that is physically connected to or integrated with such facility and intended to support, complement or enhance the use, operation or fan experience of the sports facility.

(f) "Sports facility infrastructure" means plazas, walkways, landscaping, lighting, fencing, security infrastructure, parking facilities and structures, roadway and access improvements, including, but not limited to, streets, sidewalks, rights-of-way, intersections, medians, ramps, connectors, skyways and tunnels and other improvements intended to support pedestrian or vehicular circulation, utilities, including, but not limited to, water, sanitary sewer, storm sewer, electrical, gas, telecommunications, fiber and related distribution systems and other such property, facilities and improvements, owned by the authority or determined by the authority to facilitate the use and development of a sports facility pursuant to this act.

Sec. 3. (a) (1) The Kansas sports facilities authority is established as a body corporate and politic and a political subdivision of the state. The authority is not an agency or instrumentality of any city or county. Any obligation, liability or debt of the authority shall constitute an obligation, liability or debt only of the authority and shall not constitute a liability or obligation of the state of Kansas or a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas.

(2) Before the appointment of any person as a member of the authority, the Kansas bureau of investigation shall conduct a criminal history record check and background investigation of the person in accordance with K.S.A. 2025 Supp. 22-4715, and amendments thereto. Appointment shall be subject to the appointing authority's review of the criminal history record check and background investigation.

(b) The authority shall consist of nine voting members who are legal residents of the state of Kansas and have relative education, training and experience related to facility administration, accounting, law, marketing or other pertinent fields, as follows:

(1) One member appointed by the governor who shall serve until December 31 of the third year following appointment. Thereafter, each such member appointed by the governor shall serve a four-year term, beginning on January 1. Each such member shall serve until a sucessor is appointed and takes office;

(2) one member appointed by the president of the senate who shall serve until December 31 of the third year following appointment. Thereafter, each member appointed by the president of the senate shall serve a four-year term, beginning on January 1. Each such member shall serve until a successor is appointed and takes office;

(3) one member appointed by the senate majority leader who shall serve until December 31 of the third year following appointment. Thereafter, each member appointed by the senate majority leader shall serve a four-year term, beginning on January 1. Each such member shall serve until a successor is appointed and takes office;

(4) one member appointed by the senate minority leader who shall serve until December 31 of the third year following appointment. Thereafter, each member appointed by the senate minority leader shall serve a four-year term, beginning on January 1. Each such member shall serve until a successor is appointed and takes office;

(5) one member appointed by the speaker of the house of representatives who shall serve until December 31 of the third year following appointment. Thereafter, each member appointed by the speaker of the house of representatives shall serve a four-year term, beginning on January 1. Each such member shall serve until a successor is appointed and takes office;

(6) one member appointed by the house of representatives majority leader who shall serve until December 31 of the third year following appointment. Thereafter, each member appointed by the house of representatives majority leader shall serve a four-year term, beginning on January 1. Each such member shall serve until a successor is appointed and takes office;

(7) one member appointed by the house of representatives minority leader who shall serve until December 31 of the third year following appointment. Thereafter, each member appointed by the house of representatives minority leader shall serve a four-year term, beginning on January 1. Each such member shall serve until a successor is appointed and takes office;

(8) the secretary of commerce or acting secretary of commerce who shall serve at the pleasure of the governor; and

(9) a representative of the professional sports team that plays its games in the sports facility owned by the authority appointed by the professional sports team who shall serve until December 31 of the fourth year following appointment. Thereafter, each member appointed by the professional sports team shall serve a four-year term, beginning on January 1. Each such member appointed by the professional sports team shall serve until a successor is appointed and takes office.

(c) The initial members of the authority shall be appointed not later than August 31, 2026.

(d) (1) The mayor of any city in which a sports facility of the authority is located shall be entitled to nonvoting, ex officio membership in the authority if:

(A) Such city passes an ordinance electing to participate in a STAR

bond project as defined in K.S.A. 12-17,162(aa)(2), and amendments thereto;

(B) such participation is not withdrawn, repealed, terminated or rendered ineffective; and

(C) such city's pledge of applicable local sales, use or transient guest tax revenue is not conditioned in a manner that:

(i) Limits or restricts the secretary's authority to establish or modify a STAR bond project district as defined in K.S.A. 12-17,162(cc)(2), and amendments thereto, for purposes of pledging state revenues;

(ii) provides for termination or reduction of such local pledge based on actions taken by the secretary with respect to the establishment, modification or scope of a STAR bond project district as defined in K.S.A. 12-17,162(cc)(2), and amendments thereto, or the pledge of state revenues; or

(iii) conflicts with the terms and conditions set forth in the STAR bond agreement dated December 22, 2025, and executed by the Kansas city chiefs football club, inc. and the state of Kansas.

(2) Such ex officio membership shall be expressly conditioned upon the continued satisfaction of the requirements set forth in subparagraphs (1)(A), (B) and (C) above.

(e) Members of the authority may be compensated as provided by K.S.A. 75-3223, and amendments thereto, including a paid per diem and mileage reimbursement.

(f) The chairperson of the authority shall be elected by a majority of the voting members of the authority for a four-year term. The chairperson shall preside at all meetings of the authority, if present, and perform all other assigned duties and functions. The authority may appoint from among its voting members a vice chairperson to act for the chairperson during the temporary absence or disability of the chairperson and any other officers the authority determines are necessary or convenient.

(g) Each member of the authority shall serve at the pleasure of the entity or holder of the office authorized to appoint such member.

(h) The authority shall adopt bylaws to establish rules of procedure, the powers and duties of its officers and other matters relating to the governance of the authority and the exercise of its powers.

(i) The authority shall engage a third-party independent auditor to audit the books and accounts of the authority annually. The authority shall engage a different independent auditor every three years to conduct such audit.

(j) The authority may appoint an executive director to serve as the chief executive officer of the authority. Such executive director shall serve at the pleasure of the authority and shall receive compensation as determined by the authority and approved by the state finance council

acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed by K.S.A. 75-3711c(c), and amendments thereto. As prescribed and directed by the authority, the executive director shall be responsible for the operation, management and promotion of activities of the authority. The executive director shall have such powers necessarily incident to the performance of the executive director's duties and such powers granted by the authority, except that the executive director shall not have authority to incur liability or make expenditures on behalf of the authority without general or specific direction by the authority evidenced by the authority's bylaws or minutes of a meeting of the authority.

(k) The authority may authorize additional employees. The executive director shall be responsible for hiring, supervision and dismissal of all other employees of the authority.

(l) The authority shall establish a website for purposes of providing information to the public concerning all actions taken by the authority. At a minimum, the website shall contain a current version of the authority's bylaws, notices of upcoming meetings, minutes of the authority's meetings and a telephone number and email address for public comments.

(m) Any five voting members shall constitute a quorum for the conduct of business. Action may be taken upon the vote of a majority of members present at a meeting duly called and held.

(n) In the event that immediate action is required for which a meeting cannot be timely convened, the authority may act by written consent, signed by all voting members, whose consent shall have the same effect as unanimous action taken at a meeting of the authority duly called and held with a quorum present. Members may also meet by telephone conference or may attend a meeting by any two-way telephonic communication system or video conference system.

Sec. 4. (a) Any sports facility or sports facility infrastructure constructed or acquired by the authority shall be a part of the authority.

(b) Any other sports facility may be acquired as a part of the authority upon satisfaction of the following factors and approval of the authority:

(1) The governing body, whether a public or private entity, of the sports facility has made a request to the authority to become a sports facility that is a part of the authority;

(2) such governing body and the authority have negotiated an agreement with respect to the transfer by the governing body to the authority of all obligations and responsibilities pertaining to such sports facility, including, but not limited to, outstanding debt, revenue sources, finance, funding, management, operations, equipment, repair and replacements, capital improvements, reserves, contracts and agreements;

(3) if separate entities, such governing body and the professional

sports team that is the primary user of such sports facility have made a joint recommendation to the authority that such sports facility become a part of the authority;

(4) the authority finds that the inclusion of such sports facility in the authority will not have a negative impact on the authority or the state general fund or become an obligation of the state of Kansas; and

(5) such governing body shall have provided any other information and met any additional requirements requested by the authority.

Sec. 5. (a) The authority is a body corporate and politic and a political subdivision of the state of Kansas. The authority may exercise and hold the duties, privileges, immunities, rights and liabilities and disabilities of an authority of the state and as a body corporate and a political instrumentality of the state. The authority may sue and be sued. Any obligation, liability or debt of the authority shall constitute an obligation, liability or debt only of the authority and shall not constitute an obligation or liability of the state of Kansas or a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas.

(b) (1) (A) The authority may acquire from any public or private entity by lease, purchase, gift or devise all necessary right, title and interest in and to real property, air rights and personal property deemed necessary for the purposes of this act.

(B) Any such property referenced under this act that is owned, acquired or otherwise used by the authority shall be deemed exclusively used for state purposes within the meaning of article 11 § 1(b) of the constitution of the state of Kansas.

(C) The authority shall be exempt from any property or general ad valorem taxes levied under the laws of the state of Kansas upon any property of the authority acquired and used for a sports facility or sports facility infrastructure and upon any other property of the authority used for the authority's public purposes and from any taxes or assessments upon any projects or operations of the authority. The authority shall be exempt from any taxes or assessments upon any project, property or local obligation acquired or used by the authority under the provisions of this act.

(2) The authority may sell, lease or otherwise dispose of any real or personal property acquired by the authority that is no longer required for the accomplishment of the authority's purposes.

(c) (1) The authority may develop, construct, equip, improve, own, operate, manage, maintain, finance and control sports facilities, related sports facility infrastructure and related facilities constructed or acquired pursuant to this act, or may delegate such duties through an agreement, subject to the rights and obligations transferred to and assumed by the

authority, a professional sports team, other user, third-party manager or program manager, under the terms of a lease, use agreement or development agreement.

(2) When purchasing construction, repairs, supplies, equipment, furniture, furnishings, fixtures or contractual services, the authority and the authority's contractors and agents shall utilize competition among contractors and vendors to the extent reasonable and practicable under the circumstances, to be determined in the sole discretion of the authority and to such extent shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, 75-37,102 or 75-37,132, and amendments thereto.

(3) All sales of tangible personal property or services purchased for the purpose of and in conjunction with the constructing, equipping or furnishing of a sports facility or sports facility infrastructure by the authority shall be exempt from the tax imposed by the Kansas retailers' sales tax act and the Kansas compensating tax act and not be subject to sales or use tax imposed by the state, any county, city, town, public corporation or agency or subdivision or instrumentality thereof. When a person contracts for the construction, equipping or furnishing of any such sports facility or sports facility infrastructure, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering such purchases bearing the number of such certificates. Upon completion of the project, the contractor shall furnish to the authority a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this paragraph. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof who uses or otherwise disposes of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto.

(d) The authority may employ persons, contract for services, including legal services, and utilize employees and consultants retained by other governmental entities as necessary to carry out the authority's functions. The authority may enter into agreements with other governmental entities or third parties necessary to accomplish the purposes of this act.

(e) The authority may accept monetary contributions, pledges of revenues, property, services and grants or loans of money or other property from any source, including, but not limited to, the state, any subdivision of the state, any agency of those entities or any person for any of its purposes, and may enter into any agreement required in connection with the gifts, grants or loans. The authority shall hold, use and dispose of the money, property or services according to the terms of the monetary contributions, grant, loan or agreement.

(f) The authority may lease, license or enter into use agreements and may fix, alter, charge and collect rents, fees, including seat licensing fees, and charges for the use, lease, license, occupation and availability of part or all of any premises, property or facilities under the authority's ownership, operation or control for purposes that will provide athletic, educational, cultural, commercial or other entertainment, instruction or activity for the citizens of Kansas and visitors. The use agreements may provide that the other contracting party has exclusive use of the premises at the times agreed upon, as well as the right to retain some or all revenues from ticket sales, suite licenses, personalized seat licenses, concessions, advertising, naming rights, professional sports team designated broadcast or media, club seats, signage and other revenues derived from a sports facility. The authority may contract with a professional sports team or other third party to collect any such revenue on behalf of the authority.

(g) Any agreement by the authority for the lease, license, use or management of a sports facility or sports facility infrastructure shall require the lessee, licensee, user or manager to be responsible for all liabilities and obligations arising out of the use, occupancy, operation, management or control of the sports facility or sports facility infrastructure, except as expressly provided otherwise in such agreement. No such agreement shall create an obligation of the state of Kansas, liability against the state of Kansas or a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas.

(h) The authority may procure insurance in the amounts the authority considers necessary against liability of the authority or its officers and employees for personal injury or death and property damage or destruction and against risks of damage to or destruction of any of its facilities, equipment or other property. Any agreement by the authority for the lease, license, use or management of a sports facility or sports facility infrastructure shall require the lessee, licensee, user or manager to be responsible for providing, at their sole cost and expense, insurance coverage in the types and amounts consistent with professional sports industry standards. The authority shall be named as an additional insured on any such insurance coverage.

(i) The authority is hereby authorized to fix, charge and collect fees or rents in order to recover all or part of the operating expenses incurred in carrying out its functions.

(j) As authorized by the secretary of commerce, the authority shall have the power to issue special obligation bonds in one or more series to finance or refinance the acquisition, construction, development, improvement or operation of any sports facility or sports facility infrastructure project. Such bonds shall not be a general obligation of the state. Any such bonds and interest thereon shall be an obligation only of the authority and shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas.

(k) In addition to the powers expressly granted in this act and provided that the exercise of such powers does not conflict with any agreement between the authority and the professional sports team, the authority shall have all powers necessary or incidental thereto, including, but not limited to, the following:

(1) To make grants of money to other public or private persons and any organization that is described in section 501(c)(3) of the federal internal revenue code of 1986, as amended, or any corresponding provision of any future revenue law;

(2) notwithstanding any other provision of law relating to the investment of state moneys or interest thereon, to receive, hold, use, deposit, withdraw, invest, expend and manage all funds and moneys of the authority, including interest thereon, from any source;

(3) to deposit any moneys of the authority in any banking institution within or without the state or in any depository authorized to receive such deposits, with one or more persons to act as custodians of the moneys in each respective depository, and to give surety bonds in such amounts in the form and for such purposes as the authority requires;

(4) to borrow money, including, but not limited to, borrowings through the issuance of bonds, incur liabilities and pledge all or any part of the assets of the authority or any of its controlled affiliates as security for any of the operating needs; and

(5) to enter into such contracts, agreements, joint ventures, partnerships, options, leases, loan agreements, deeds and other instruments with public and private entities and take such other actions as may be necessary or convenient to accomplish any purpose for which the authority is organized or exercise any power expressly granted hereunder.

(l) Notwithstanding any other provision of law to the contrary, the authority and its members, directors, employees and agents shall be subject to and covered by the Kansas tort claims act, K.S.A. 75-6101 et seq., and amendments thereto. The purchase of insurance, participation in

an insurance plan or creation of a self-insurance fund by the authority shall not be deemed to be a waiver or relinquishment of any sovereign immunity to which the authority or its directors, employees or agents are otherwise entitled.

(m) (1) Commencing on January 15, 2027, and on or before January 15 of each year thereafter, the authority shall provide a written report to the legislative coordinating council, the senate committee on commerce and the house of representatives committee on commerce, labor and economic development. Such report shall include, at the level of detail as requested by the respective committee or chairperson thereof:

(A) (i) The current status of the sports facility and sports facility infrastructure;

(ii) actions and operations of the authority during the previous year with respect to the acquisition, construction and development of the sports facility or sports facility infrastructure; and

(iii) the projected construction and development of the sports facility and sports facility infrastructure and planned operations and actions of the authority in the current year ahead;

(B) any other actions of the authority undertaken pursuant to the provisions of this act; and

(C) any other information pertaining to the status, actions, activities and operations of the authority requested by the respective committee or chairperson thereof.

(2) At the request of any such committee, the chairperson and executive director of the authority shall appear before such committee and provide testimony regarding the report.

(n) Any lease or use agreement between the authority and a professional sports team shall provide for the disposition of the sports facility upon expiration or nonrenewal of the agreement and relocation of the team outside the state in a manner that ensures the authority shall have no ongoing financial obligation, liability or maintenance responsibility. Such provisions may include, but not be limited to:

(1) Conveyance of the sports facility and related improvements to the professional sports team, with the team assuming all costs, liabilities and obligations associated therewith; or

(2) payment by the professional sports team of the reasonable costs of demolition of the primary stadium structure.

Sec. 6. (a) Sports facilities under this act shall be operated in a first-class manner, similar to and consistent with other comparable sports facilities of the same kind.

(b) The authority and the professional sports team shall agree to minimum annual sports facility utilization requirements by the state and its designees in order to host noncompeting community events, subject to

sports facility availability for which the professional sports team shall have scheduling priority.

Sec. 7. The authority shall be exempt from the following laws, unless otherwise provided for in this act:

(a) K.S.A. 12-1675 through 12-1677, and amendments thereto;

(b) K.S.A. 75-1250 through 75-1270, and amendments thereto;

(c) K.S.A. 75-2925 through 75-2975, and amendments thereto;

(d) K.S.A. 75-6601 through 75-6607, and amendments thereto;

(e) K.S.A. 77-501 through 77-550, and amendments thereto;

(f) K.S.A. 75-3739 through K.S.A. 75-3740, and amendments thereto; and

(g) K.S.A. 75-37,102 and 75-37,132, and amendments thereto.

Sec. 8. (a) This act shall be liberally construed. Nothing contained herein is or shall be construed as a restriction or limitation upon any powers that the authority might otherwise have under any other law of this state, and the provisions of this act are cumulative to such powers. The provisions hereof shall be construed to provide a complete, additional and alternative method for the doing of the things authorized hereby and shall be regarded as supplemental and additional to any other laws. It is the intent of the legislature to grant the authority all powers necessary and convenient to develop, construct, acquire and operate sports facilities and sports facility infrastructure in furtherance of the public purpose of providing state-owned and operated venues for the economic, cultural and recreational benefit of the citizens of the state. In carrying out such purposes, the authority shall be deemed to be a political subdivision of the state performing essential governmental functions. Insofar as the provisions of this act are inconsistent with the provisions of any other law, whether general, specific or local, the provisions of this act shall be controlling. Notwithstanding anything in this act to the contrary, the powers granted to the authority shall not be exercised in a way that conflicts with the terms and conditions set forth in the STAR bond agreement dated December 22, 2025, and executed by the Kansas City chiefs football club, inc. and the state of Kansas. Notwithstanding anything in this act to the contrary, nothing in this subsection or this act shall be construed so as to authorize, permit or provide any obligation, liability or debt of the authority to be an obligation, liability or a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas.

(b) The provisions of this act are severable. If any portion of the act is declared unconstitutional or invalid, or the application of any portion of the act to any person or circumstance is held unconstitutional or invalid, the invalidity shall not affect other portions of the act that can be given effect without the invalid portion or application, and the applicability of

such other portions of the act to any person or circumstance shall remain valid and enforceable.

Sec. 9. This act shall take effect and be in force from and after its publication in the statute book.