MEMORANDUM

To: House Committee on Commerce, Labor and Economic Development and the Senate Committee on Commerce
From: Office of the Revisor of Statutes
Date: 3-10-2026
Subject: HB 2793

HB 2793 enacts the Kansas sports facilities authority act.

Section 1. Title and purpose (Pg. 1)

- The act's purpose is to construct, finance, manage and ensure long-term use of sports facilities and related infrastructure for professional sports and other civic uses.
- The legislature finds public expenditures and property acquisition for these purposes serve a public use and promote the general welfare.
- Lease provisions with a professional sports team requiring the team to play substantially all home games in a publicly funded facility serve a unique public purpose enforceable by specific performance and injunctive relief.

Section 2. Definitions (Pg. 1)

- A professional sports team is an NFL franchise engaged in professional American football.
- Sports facility includes, as constructed or managed pursuant to the act, a stadium, arena, fields, practice facilities, headquarters building and enclosed or open-air entertainment, event or recreational venues enhancing fan experience.
- Sports facility infrastructure includes plazas, landscaping, lighting, roadway and access improvements, parking, utilities and other improvements owned by the authority or determined to facilitate use and development of a sports facility.

Section 3. Establishment, membership and governance of the authority (Pg. 2)

- The authority is established as a body corporate and politic and political subdivision of the state, not a city or county instrumentality. Debts of the authority are not debts of the state.
- KBI background checks are required for appointees before appointment.
- Nine voting members must be Kansas residents with relevant expertise related to facility administration, accounting, law, marketing or other pertinent fields. One member is appointed by, respectively, the Governor, Senate President, Senate Majority Leader and Senate Minority Leader, Speaker of the House, House Majority Leader and House Minority Leader, the Secretary of Commerce, and a professional sports team representative, with specified terms.
- Initial members must be appointed by August 31, 2026.
- A qualifying city's mayor may serve as a nonvoting ex officio member if conditions regarding STAR bond participation and pledges of local sales, use or transient guest tax revenue are satisfied, and there is no conflict with a December 22, 2025 STAR bond agreement between the state and the Kansas City Chiefs football club.
- Members may receive per diem and mileage pursuant to K.S.A. 75-3223.
- The chair is elected by majority of voting members for four years, with authority to appoint other officers.
- Members serve at the pleasure of their appointing authority.
- The authority shall adopt bylaws for governance and powers and duties.
- Annual independent audits are required, different auditors at least every three years.
- An executive director may be appointed, serves at pleasure of the authority, compensated as determined by authority with state finance council approval, and may not incur liability or expenditures without authority direction (bylaws or minutes). Responsible for operation, management and promotion of activities of the authority.
- The authority may authorize additional employees, with the executive director managing personnel.
- A public website is required with bylaws, meeting notices, minutes and public comment contacts.
- Five voting members constitute a quorum, with majority vote of members present to act.
- Unanimous written consent may substitute for a meeting in the event immediate action is required, and telephonic or video meeting or participation is permitted.

Section 4. Inclusion of facilities in the authority (Pg. 5)

- Sports facility or sports facility infrastructure constructed or acquired by the authority are part of the authority.
- Any other sports facility may be acquired as a part of the authority upon request by the public or private governing body of the sports facility, a transfer agreement covering all obligations, including debt, finance, management, operations, equipment, capital improvements, and other items, joint recommendation by the governing body and primary user team if separate entities, findings by the authority of no negative impact on the authority or the state, and any other information or requirements requested by the authority.

Section 5. Powers, exemptions, financing and reporting (Pg. 6)

- The authority is a political subdivision of the state. The authority may sue and be sued. The authority's debts are not debts of the state.
- The authority may acquire property interests from public or private entities. Such property is deemed exclusively used for state purposes within the meaning of article 11, section 1(b) of the Kansas constitution.
- The authority and its projects, property and operations are exempt from property and other taxes and assessments.
- The authority may dispose of property no longer required.
- The authority may develop, construct, equip, improve, own, operate, manage, maintain, finance and control sports facilities, sports facility infrastructure, and related facilities constructed or acquired by the authority pursuant to the act or delegate such duties by agreement.
- Competitive procurement is required to the extent reasonable and practicable as determined by the authority, and certain state competitive bidding statutes do not apply to that extent.
- Sales and use tax exemptions apply to purchases for constructing, equipping or furnishing facilities and infrastructure, with procedures and penalties outlined.
- The authority may employ or contract for services, including legal services, utilize employees or consultants retained by governmental entities, and enter into agreements with governmental entities or third parties.
- The authority may accept contributions, pledges, property, services, grants or loans from any source, enter into agreements with respect to such gifts, grants, or loans and manage such per applicable terms.

- The authority may lease, license and enter use agreements, set rents and fees, including seat licensing fees and charges for use of part of all of any authority property or facilities, and provide exclusive use rights and revenue retention terms, including team-designated media.
- Use or management agreements must place operational liabilities on the other party except as expressly provided otherwise. Such agreements cannot create state obligations or debt.
- The authority may procure insurance and require parties leasing, licensing, using or managing authority facilities to provide industry-standard coverage naming the authority as additional insured.
- The authority may fix fees or rents to recover operating expenses.
- With secretary of commerce authorization, the authority may issue special obligation bonds to finance or refinance acquisition, construction, improvement or operation of any sports facility or sports facility infrastructure project. Such bonds shall not constitute state debt.
- The authority has incidental powers including grants, investment and management of funds, deposits, borrowing and pledging assets, and entering into necessary agreements.
- The authority and its personnel are covered by the Kansas tort claims act, and insurance or self-insurance does not waive sovereign immunity.
- Annual reports beginning January 15, 2027, must detail facility status, actions, projections, other actions and requested information, with testimony by the chairperson of the authority and executive director upon request. Reports are made to the Legislative Coordinating Council, the Senate Committee on Commerce and the House Committee on Commerce, Labor and Economic Development.
- Lease agreements between the authority and a professional sports team must address facility disposition upon expiration or nonrenewal of the agreement and relocation of the team to ensure no ongoing authority obligations, by conveyance of facilities to the team and the team assuming costs or team-funded demolition of the stadium.

Section 6. Operations and community use (Pg. 10)

- Facilities must be operated in a first-class manner consistent with comparable venues.
- The authority and team shall agree to minimum annual utilization for state or designee noncompeting community events, subject to team scheduling priority.

Section 7. Statutory exemptions (Pg. 11)

- The authority is exempt from specified statutes, including:

K.S.A. 12-1675 to 12-1677 (pertaining to investment of public moneys by governmental subdivisions);
75-1250 to 75-1270 (pertaining to certain procurement requirements for contracting architectural, engineering or land surveying services);
75-2925 to 75-2975 (pertaining to state civil service employment);
75-6601 to 75-6607 (pertaining to the state surplus property program);
77-501 to 77-550 (pertaining to certain provisions of the Administrative Procedure Act)
75-3739 to 75-3740 (pertaining to competitive bidding); and
75-37,102 and 75-37,132 (pertaining to procurement of professional services or technical products).

Section 8. Construction, supremacy, STAR bond agreement and severability (Pg. 11)

- The act shall be liberally construed, is additional and supplemental to any other law, and is intended to grant all necessary powers to develop and operate facilities as essential governmental functions.
- The act controls over any inconsistent law, but authority powers may not conflict with the December 22, 2025 STAR bond agreement with the Kansas City Chiefs and the state.
- Authority obligations are not obligations or debts of the state.
- Provisions are severable, and invalidity of a portion does not affect remaining valid applications.

Section 9. Effective date (Pg. 12)

- The act would take effect upon publication in the statute book (July 1, 2026).