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Senate Local Government, Transparency and Ethics Committee
March 18, 2025
SB 124

Kansas Association of Counties
Informational Testimony

Chairwoman Bowers and members of the Committee:

Thank you for allowing the Kansas Association of Counties to offer informational testimony on SB 124, which would create additional restrictions for unilateral annexations by cities and create a cause of action for landowners harmed by these actions.

There are different types of annexation that cities can utilize to expand their city limits. There is mutual annexation, where everyone agrees to the annexation, and there is unilateral annexation, where the city annexes the land without landowner consent. This bill does not address mutual annexation. It deals only with unilateral annexation.

In order to annex land unilaterally (without the landowner's consent), one of seven conditions must exist under current law. *See* KSA 12-520. Those are:

1. The land is platted and part of it adjoins the city
2. The land adjoins the city and is owned or held in trust by the city or an agency of the city
3. The land adjoins the city and is held in trust for another governmental unit
4. The land lies within or mainly within the city and has a common perimeter (more than 50%)
5. The land would make the boundary of the city straight or harmonious, but is less than 21 acres
6. Two thirds of any boundary of the tract adjoins the city, and is less than 21 acres
7. The land adjoins the city and the owner files a written petition of consent

There is a provision that agricultural land cannot be annexed if it is unplatted and greater than 21 acres. The bill would extend that to all tracts less than 20 acres. The bill would also remove land owned by other governmental entities for the purposes of determining contiguous land.

KAC supports giving landowners outside cities more protection from unilateral annexation and is happy to answer questions as the committee considers this topic. Thank you for your time and attention.

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