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To: Senate Committee on Local Government, Transparency and Ethics
From: Dan Warner, City of Topeka
Date: February 3, 2026
Re: Opponent Testimony for SB 124

Chair Bowers and Members of the Committee,

Thank you for the opportunity to testify in opposition to Senate Bill 124. This bill imposes unnecessary restrictions on municipal annexation, hindering cities' ability to manage growth, provide essential services, and maintain financial stability. This bill erodes cities' ability to plan for future growth by limiting annexation. Cities rely on current statutory authority in the areas of extraterritorial zoning and annexation to guide development and ensure infrastructure is expanded in a logical, sustainable manner.

A key concern is that SB 124 effectively nullifies KSA 12-520(a)(5) and (6), which allow cities to annex properties under 21 acres to correct irregular boundaries. This authority is critical for ensuring efficient service delivery, particularly for emergency response. Without it, fragmented city boundaries will make it more difficult to provide timely police, fire, and medical services.

Additionally, SB 124 undermines cities' ability to annex large commercial and industrial properties that rely on municipal services. If such properties are under 20 acres, this bill prevents their unilateral annexation, allowing businesses to benefit from city infrastructure without contributing to its maintenance. This unfairly shifts costs onto existing residents and businesses within city limits.

Section 1(g) eliminates the ability to annex narrow corridors of land to access non-contiguous tracts. This is a vital planning tool that enables logical and efficient urban development. Without it, cities may be forced into inefficient, disjointed growth patterns that negatively impact infrastructure planning and service delivery.

Finally, another concerning provision is Section 1 (h), which states that land owned by a governmental agency shall not be considered contiguous for annexation purposes. This conflicts with existing law (KSA 12-520(a)(3)), which allows governmental properties—such as schools—to serve as annexation points. A recent example in Topeka demonstrates the harm this could cause: annexing a school property was essential to facilitating residential growth. Under SB 124, such an annexation would not have been possible, obstructing planned city expansion.

The combined effect of these provisions is to severely limit a city's ability to expand in a way that sustains infrastructure, services, and economic vitality. Cities must grow to support roads, water, sewer, fire, and police services—not just for new development but for the entire community. Restricting annexation will lead to stagnation, undermining the long-term health of cities and the businesses and residents they serve.

For these reasons, I strongly urge the committee to oppose SB 124. Thank you for your time and consideration. I welcome any questions.