OVERLAND PARK

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Date: February 3rd, 2026
To: Chairwoman Elaine Bowers and the Senate Committee on Local Government, Transparency and Ethics
From: City of Overland Park
Re: SB 124 – Opposition (Written)

Thank you for allowing the City of Overland Park ("City") to submit testimony in opposition to SB 124, imposing unilateral annexation restrictions on cities and expanding the causes of action for landowners to challenge annexations.

The City opposes SB 124 because it (1) significantly reduces cities' power of annexation; (2) prohibits the thoughtful and orderly growth of communities and development and potentially causes an increase in service costs to both city and county taxpayers; (3) creates confusion and disorder along city and county boundaries; unfairly burdens residents in the county by forcing services to be rendered to noncontiguous areas and (4) fosters unnecessary duplication of government services.

Under SB 124 cities could not annex any unplatted agricultural land (of any size) or any real property less than 20 acres in size without consent of the landowner, no matter what the character of the property or the surrounding area is, which effectively eliminates the ability to annex land less than 20 acres under K.S.A. 12-520 (a)(5) and (a)(6), which both already eliminated annexations in excess of 21 acres under those subsections.[1] The result is only properties between 20 and 21 acres can be annexed pursuant to subsections (a)(5) and (a)(6). This shows that the impacts of this bill and language of the revisions contained therein need further consideration.

SB 124 eliminates the ability of cities to annex a "narrow corridor" of land no matter what the independent value or purpose that corridor has to the city. Additionally, this bill sets forth that no tract of land owned by a governmental entity other than the city would be considered contiguous to the City for annexation purposes; again, this does not take into account the character of the subject property or its surroundings. All of these changes will impede the natural and orderly growth and development of communities and real property which adjoin cities.

SB 124 appears to oppose the natural progression of development. Despite the intent of SB 124, growth will still naturally occur in the areas adjoining cities as property owners seek to develop, improve, and add value to their properties. If cities are unable to annex these areas of future development, it will put the burden upon counties to manage the land use development, street

[1] (a) Except as hereinafter provided, the governing body of any city, by ordinance, may annex land to such city if any one or more of the following conditions exist:
…
(5) The land if annexed will make the city boundary line straight or harmonious and some part thereof adjoins the city, except no land in excess of 21 acres shall be annexed for this purpose.
(6) The tract is so situated that 2/3 of any boundary line adjoins the city, except no tract in excess of 21 acres shall be annexed under this condition.
…

and utility development, building plan review and permitting for the same. Furthermore, it will also put upon the counties the burden to increase staff and services and to build necessary infrastructure to accommodate growth and development. Cities are better equipped and staffed to handle these demands. Counties also do not have all of the statutory tools that are available to cities. If counties are forced to bear the brunt of the cost to administer this development and to build the necessary infrastructure, these costs will result in an unfair disparity to the taxpayers responsible for paying for the same.

Because boundary lines become uneven through voluntary annexations, there becomes a variety of city and county services that frequently become duplicated, creating inefficient government and an unnecessary use of taxpayer dollars. Examples include, but are not limited to, street construction and maintenance, police and fire services, public infrastructure, parks and recreational amenities, and snow plowing. Further, these uneven borders can create situations where unincorporated properties within or immediately adjacent to a city's border rely upon and receive city services but do not contribute to the tax base paying for those services. This duplication or erroneous transfer of services ultimately leads to both higher costs for taxpayers and a patchwork of regulations and potential duplication. Uneven boundary lines can often create confusion for the public, and it is not always clear to the individual citizen who the jurisdiction of record is, as a different jurisdiction may be responsible for different portions of the same development. Likewise, even the jurisdictions and their staff can become confused when the boundary lines are not logical with respect to the development. In such cases, city annexation is a useful tool to mitigate this confusion and inefficiencies.

Thank you for allowing the City to submit testimony in opposition to **SB 124**. We respectfully request that the Committee not advance this legislation to the full Senate.