Written Testimony in Support of Senate Bill 124

As a private citizen residing in the State of KS, Johnson County, I am a proponent of Senate Bill 124. This revised Bill seeks to clarify the disallowance of an annexation of a narrow corridor of land by the governing body of a city in order to gain access to noncontiguous tracts of land.

Additionally, this revised Bill provides relief for land owners by granting Standing before the appropriate courts, to challenge the authority of a city to annex the land.

I am in support of Senate Bill 124 for the following two reasons:

1. With regard to the "narrow corridor" provision of this Bill, KSA 12-520 (g), it follows that annexation of narrow corridors of land circumvent the base premise of how land is to be annexed by a city. Without this provision, notices to the public by the city and county can be circumvented thus allowing annexations to occur "under the radar" and thus without proper public notification. In 2020, such an annexation did occur…over Christmas vacation, without notice in public newspapers and without opportunity for local citizens affected by such annexation to provide public comment.

2. Section 2, KSA 12-538 gives "Standing" to landowners who may wish to challenge an annexation by a city. Prior to the revised language contained in Senate Bill 124, private landowners did not have the right to challenge unilateral annexations by a city. Only the State Attorney General's office had standing, meaning the rights of private citizens were being denied when a city violated KSA 12-520(g). I was a part of my neighborhood group and joined a lawsuit in Johnson County in 2021 to challenge a city for what was believed an illegal annexation. The judge stated "I see the illegality" but went on to state the residents did not have standing. The citizen group was denied the opportunity to challenge because they did not have standing, leaving it to the Attorney General's office to challenge for the residents.

Frank Bannister