

As Amended by House Committee

Session of 2005

HOUSE BILL No. 2093

By Committee on Governmental Organization and Elections

1-20

10 AN ACT concerning counties; relating to changes in boundaries; amend-
11 ing K.S.A. 18-202 and repealing the existing section.
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 18-202 is hereby amended to read as follows: 18-
15 202. ~~That whenever the citizens of two or more counties desire a change~~
16 ~~in the boundaries thereof, they may petition their respective boards of~~
17 ~~county commissioners therefor, and each of said petitions shall designate~~
18 ~~the change desired, and shall be signed by none but legal voters of the~~
19 ~~county before whose board the same is presented, and shall be signed by~~
20 ~~at least one-half of such legal voters of each county respectively, to be~~
21 ~~ascertained from the last assessment rolls of the several township asses-~~
22 ~~sors in the county and accompanied by affidavits signed and sworn to by~~
23 ~~at least two credible witnesses, that the signatures to the petition are~~
24 ~~genuine, and that the persons signing the same are legal voters in said~~
25 ~~county. *Provided*, That before any petition shall be heard, satisfactory~~
26 ~~proof shall be made by affidavit, to said board, that at least three notices~~
27 ~~containing copies of such petition or petitions have been posted at least~~
28 ~~six weeks before the same shall be heard, in three public places in each~~
29 ~~township in the counties to be affected by such change of boundaries,~~
30 ~~one of which shall be kept posted upon the door of the office of the clerk~~
31 ~~of the district court of said counties, which notices shall contain a copy~~
32 ~~of the petition, and shall show the time of hearing. *And provided further*,~~
33 ~~That if an equal number shall sign the remonstrances in each county~~
34 ~~where the petition is to be heard to the number signing the petitions, no~~
35 ~~election shall be held.~~

36 *(a) The boards of county commissioners of any two or more counties*
37 *may adopt a resolution changing the boundaries of such counties. Such*
38 *resolution shall describe the change desired. Such resolution shall not be*
39 *effective until the question has been submitted to and approved by a*
40 *majority of the voters of each of the counties voting at an election thereon*
41 *as provided by K.S.A. 18-201 et seq., and amendments thereto.*

42 ~~—(b) Upon presentation of a petition requesting a change in the bound-~~
43 ~~aries of two or more counties signed by at least 5% of the qualified electors~~

1 *of the county, the board of county commissioners shall adopt a resolution*
2 *changing the boundaries as requested by the petition. Such resolution*
3 *shall not be effective until the question has been submitted to and ap-*
4 *proved by a majority of the voters of each of the counties voting at an*
5 *election thereon as provided by K.S.A. 18-201 et seq., and amendments*
6 *thereto.*

7 ~~(e)~~ **(b)** *At least three public hearings shall be called and held on any*
8 *resolution adopted pursuant to this section. At least one hearing shall be*
9 *held in each county affected by the proposed change. Notice of such hear-*
10 *ing shall be published in a newspaper or newspapers of general circulation*
11 *in each county affected at least three times prior to the date of each*
12 *hearing.*

13 Sec. 2. K.S.A. 18-202 is hereby repealed.

14 Sec. 3. This act shall take effect and be in force from and after its
15 publication in the statute book.