

HOUSE BILL No. 2326

By Committee on Taxation

2-11

9 AN ACT concerning the transportation development district act; relating
10 to creation of district; requirements; amending K.S.A. 2008 Supp. 12-
11 17,142 and repealing the existing section.
12

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

14 Section 1. K.S.A. 2008 Supp. 12-17,142 is hereby amended to read
15 as follows: 12-17,142. (a) In addition to any other power provided by law
16 and as a complete alternative to all other methods provided by law, the
17 governing body of any municipality may create a district as provided by
18 this act for the purpose of financing projects. A municipality may create
19 a district, or may modify a previously created district, upon receipt of a
20 petition signed by *at least 75% of* the owners of ~~all~~ of the land area within
21 the proposed district. The petition shall contain: (1) The general nature
22 of the proposed project;

23 (2) the maximum cost of the project;

24 (3) the proposed method of financing the project;

25 (4) the proposed amount and method of assessment;

26 (5) the proposed amount of transportation development district sales
27 tax; and

28 (6) a map or boundary description of the proposed district.

29 (b) Names may not be withdrawn from the petitions by the signers
30 thereof after the governing body commences consideration of the peti-
31 tions or later than seven days after such filing, whichever occurs first. The
32 petition shall contain a notice that: (1) The names of the signers may not
33 be withdrawn after such a period of time; and (2) the signers consent to
34 any assessments to the extent described therein without regard to benefits
35 conferred by the project.

36 (c) Upon filing of the petition for a district financed only by assess-
37 ments, the governing body may proceed without notice or a hearing to
38 make findings by resolution or ordinance as to the nature, advisability and
39 maximum cost of the project, the boundaries of the district and the
40 amount and method of assessment. Upon making such findings the gov-
41 erning body may authorize the project in accordance with such findings
42 as to the advisability of the project. The resolution or ordinance shall be
43 effective upon publication once in a newspaper.

1 (d) The district boundaries and the method of financing for the pro-
2 ject shall not require that all property that is benefited by the project,
3 whether the benefited property is within or without the district, be in-
4 cluded in the district or be subject to an assessment or the transportation
5 development district sales tax.

6 (e) Following authorization of the project, the petition shall be sub-
7 mitted for recording in the office of the register of deeds of the county
8 in which the district is located.

9 Sec. 2. K.S.A. 2008 Supp. 12-17,142 is hereby repealed.

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