

As Amended by House Committee

[As Amended by Senate Committee of the Whole]

Session of 2009

**SENATE BILL No. 119**

By Committee on Commerce

1-27

12 AN ACT enacting the community improvement district act.

13

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

15 Section 1. (a) The provisions of sections 1 through 11, and amend-  
16 ments thereto, shall be known and may be cited as the community im-  
17 provement district act.

18 (b) The powers conferred by this act are for economic development  
19 purposes and any other purpose for which public money may be  
20 expended.

21 Sec. 2. As used in this act, and amendments thereto, the following  
22 words and phrases shall have the following meanings unless a different  
23 meaning clearly appears from the context:

24 (a) "Act" means the provisions of sections 1 through 11, and amend-  
25 ments thereto.

26 (b) "Assessments" means special assessments imposed and levied  
27 pursuant to the provisions of this act.

28 (c) "Bonds" means special obligation bonds, special obligation notes,  
29 full faith and credit bonds or full faith and credit notes payable solely  
30 from the sources described in section 8, and amendments thereto, issued  
31 by a municipality in accordance with the provisions of this act.

32 (d) "Community improvement district sales tax" means the tax au-  
33 thorized by section 6, and amendments thereto.

34 (e) "Consultant" means engineers, architects, planners, attorneys, fi-  
35 nancial advisors and other persons deemed competent to advise and assist  
36 in the planning, making and financing of projects.

37 (f) "Cost" means: (1) All costs necessarily incurred for the preparation  
38 of preliminary reports, the preparation of plans and specifications, the  
39 preparation and publication of notices of hearings, resolutions, ordinances  
40 and other proceedings relating to the creation or administration of the  
41 district or the issuance of bonds therefore, necessary fees and expenses  
42 of consultants, interest accrued on borrowed money during the period of  
43 construction and the amount of a reserve fund for the bonds, together

- 1 with the cost of land, materials, labor, and other lawful expenses incurred  
2 in planning and doing any project and may include a charge of not to  
3 exceed 5% of the total cost of the project or the cost of work done by the  
4 municipality to reimburse the municipality for the services rendered by  
5 the municipality in the administration and supervision of such project by  
6 its general officers; and (2) in the case of property and projects already  
7 owned by the municipality and previously financed by the issuance of  
8 bonds, “cost” means costs authorized by K.S.A. 10-116a, and amend-  
9 ments thereto.
- 10 (g) “District” means a community improvement district created pur-  
11 suant to this act.
- 12 (h) “Governing body” means the governing body of a city or the board  
13 of county commissioners of a county.
- 14 (i) “Municipality” means any city or county.
- 15 (j) “Newspaper” means the official newspaper of the municipality.
- 16 (k) “Owner” means the owner or owners of record, whether resident  
17 or not, of real property within the district.
- 18 (l) “Pay-as-you-go financing” means a method of financing in which  
19 the costs of a project are financed without notes or bonds, and the costs  
20 of such project are thereafter reimbursed as moneys are deposited in the  
21 district fund described in section 9, and amendments thereto.
- 22 (m) “Project” means:
- 23 (1) Any project within the district to acquire, improve, construct, de-  
24 molish, remove, renovate, reconstruct, rehabilitate, maintain, restore, re-  
25 place, renew, repair, install, relocate, furnish, equip or extend:
- 26 (A) Buildings, structures and facilities;
- 27 (B) sidewalks, streets, roads, interchanges, highway access roads, in-  
28 tersections, alleys, parking lots, bridges, ramps, tunnels, overpasses and  
29 underpasses, traffic signs and signals, utilities, pedestrian amenities, aban-  
30 doned cemeteries, drainage systems, water systems, storm systems, sewer  
31 systems, lift stations, underground gas, heating and electrical services and  
32 connections located within or without the public right-of-way, water  
33 mains and extensions and other site improvements;
- 34 (C) parking garages;
- 35 (D) streetscape, lighting, street light fixtures, street light connections,  
36 street light facilities, benches or other seating furniture, trash receptacles,  
37 marquees, awnings, canopies, walls and barriers;
- 38 (E) parks, lawns, trees and other landscape;
- 39 (F) communication and information booths, bus stops and other shel-  
40 ters, stations, terminals, hangers, rest rooms and kiosks;
- 41 (G) paintings, murals, display cases, sculptures, fountains and other  
42 cultural amenities;
- 43 (H) airports, railroads, light rail and other mass transit facilities; and

- 1 (I) lakes, dams, docks, wharfs, lakes or river ports, channels and lev-  
2 ies, waterways and drainage conduits.
- 3 (2) Within the district, to operate or to contract for the provision of  
4 music, news, child-care, or parking lots or garages, and buses, minibuses  
5 or other modes of transportation;
- 6 (3) Within the district, to provide or contract for the provision of  
7 security personnel, equipment or facilities for the protection of property  
8 and persons;
- 9 (4) Within the district, to provide or contract for cleaning, mainte-  
10 nance and other services to public or private property;
- 11 (5) Within the district, to produce and promote any tourism, recre-  
12 ational or cultural activity or special event, including, but not limited to,  
13 advertising, decoration of any public place in the district, promotion of  
14 such activity and special events and furnishing music in any public place;
- 15 (6) Within the district, to support business activity and economic de-  
16 velopment, including, but not limited to, the promotion of business ac-  
17 tivity, development and retention and the recruitment of developers and  
18 business;
- 19 (7) Within the district, to provide or support training programs for  
20 employees of businesses; and
- 21 (8) To contract for or conduct economic impact, planning, marketing  
22 or other studies.
- 23 Sec. 3. (a) In addition to any other power provided by law and as a  
24 complete alternative to all other methods provided by law, the governing  
25 body of any municipality may create a district as provided by this act for  
26 the purpose of financing projects. Under this section, a municipality may  
27 create a district, or may modify a district previously created under this  
28 section, upon receipt of a petition that is signed by the owners of all of  
29 the land area within the proposed district, and is both (1) seeking financ-  
30 ing only by assessments and (2) not seeking the issuance of full faith and  
31 credit bonds pursuant to this act. The petition shall contain:
- 32 (A) The general nature of the proposed project;
- 33 (B) the estimated cost of the project;
- 34 (C) the proposed method of financing the project;
- 35 (D) the proposed amount and method of assessment;
- 36 (E) a map of the proposed district; and
- 37 (F) a legal description of the boundaries of the proposed district.
- 38 (b) Names may not be withdrawn from the petitions by the signers  
39 thereof after the governing body commences consideration of the peti-  
40 tions or later than seven days after the filing of such petition with the  
41 clerk of the municipality, whichever occurs first. The petition shall contain  
42 a notice that: (1) The names of the signers may not be withdrawn after  
43 such a period of time; and (2) the signers consent to any assessments to

1 the extent described therein without regard to benefits conferred by the  
2 project.

3 (c) Upon filing of the petition pursuant to this section, the governing  
4 body may proceed without notice or a hearing to make findings by res-  
5 olution or ordinance as to the nature, advisability and estimated cost of  
6 the project, the boundaries of the district and the amount and method of  
7 assessment. Upon making such findings, the governing body by majority  
8 vote may authorize the project in accordance with such findings as to the  
9 advisability of the project. The resolution or ordinance shall be effective  
10 upon publication once in the newspaper.

11 (d) The district boundaries and the method of financing for the pro-  
12 ject shall not require that all property that is benefited by the project,  
13 whether the benefited property is within or without the district, be in-  
14 cluded in the district or be subject to an assessment.

15 (e) Following authorization of the project, the ordinance or resolution  
16 establishing the district shall be submitted for recording in the office of  
17 the register of deeds of the county in which the district is located.

18 Sec. 4. (a) In addition to any other power provided by law and as a  
19 complete alternative to all other methods provided by law, the governing  
20 body of any municipality may create a district as provided by this act for  
21 the purpose of financing projects. As an alternative to the requirements  
22 and procedures described in section 3, and amendments thereto, under  
23 this section, a municipality may create a district, or may modify a district  
24 previously created under this section, upon receipt of a petition that is  
25 signed by the owners of more than ~~50%~~ **55%** of the land area within the  
26 proposed district, and signed by owners collectively owning more than  
27 ~~50%~~ **55%** by assessed value of the land area within the proposed district.  
28 Under this section, the petition may be seeking financing in whole or in  
29 part by a proposed community improvement district sales tax authorized  
30 by section 6, and amendments thereto, or seeking the issuance of full  
31 faith and credit bonds authorized by section 11, and amendments thereto,  
32 or both. The petition shall contain:

- 33 (1) The general nature of the proposed project;
- 34 (2) the estimated cost of the project;
- 35 (3) the proposed method of financing the project including, if appli-  
36 cable, the issuance of full faith and credit bonds;
- 37 (4) the proposed amount and method of assessment, if any;
- 38 (5) the proposed amount of community improvement district sales  
39 tax, if any;
- 40 (6) a map of the proposed district; and
- 41 (7) a legal description of the proposed district.

42 (b) Names may not be withdrawn from the petitions by the signers  
43 thereof after the governing body commences consideration of the peti-

1 tions or later than seven days after the filing of such petition with the  
2 clerk of the municipality, whichever occurs first. The petition shall contain  
3 a notice that: (1) The names of the signers may not be withdrawn after  
4 such a period of time; and (2) if applicable, the signers consent to any  
5 assessments to the extent described therein without regard to benefits  
6 conferred by the project.

7 (c) Upon filing of the petition pursuant to this section, the munici-  
8 pality shall adopt a resolution to give notice of a public hearing on the  
9 advisability of creating or modifying the district. Such resolution shall be  
10 published at least once each week for two consecutive weeks in the news-  
11 paper and shall be sent by certified mail to all owners. The second pub-  
12 lication of such resolution shall occur at least seven days prior to the date  
13 of hearing and the certified mailed notice shall be sent at least ten days  
14 prior to the date of hearing. Such resolution shall contain the following  
15 information:

- 16 (1) The time and place of the hearing;
- 17 (2) the general nature of the proposed project;
- 18 (3) the estimated cost of the project;
- 19 (4) the proposed method of financing the project including, if appli-  
20 cable, the issuance of full faith and credit bonds;
- 21 (5) the proposed amount of the community improvement district  
22 sales tax, if any;
- 23 (6) the proposed amount and method of assessment, if any;
- 24 (7) a map of the proposed district; and
- 25 (8) a legal description of the proposed district.

26 (d) The hearing on the advisability of creating or modifying the dis-  
27 trict may be adjourned from time to time. Following the hearing or any  
28 continuation thereof, the governing body by majority vote may create the  
29 district by adoption of an ordinance or resolution. Such ordinance or  
30 resolution shall authorize the project, approve the estimated cost of the  
31 project, contain the legal description of the district, contain a map of the  
32 district, levy the community improvement district sales tax, if applicable,  
33 approve the maximum amount and method of assessment, if applicable,  
34 and approve the method of financing including, if applicable, the issuance  
35 of full faith and credit bonds. Such ordinance or resolution shall become  
36 effective upon publication once in the newspaper.

37 (e) The district boundaries and the method of financing for the pro-  
38 ject shall not require that all property that is benefited by the project,  
39 whether the benefited property is within or without the district, be in-  
40 cluded in the district or be subject to an assessment or the community  
41 improvement district sales tax.

42 (f) Following authorization of the project, the ordinance or resolution  
43 establishing the district shall be submitted for recording in the office of

1 the register of deeds of the county in which the district is located.

2 Sec. 5. (a) In addition to any other power provided by law and as a  
3 complete alternative to all other methods provided by law, the governing  
4 body may make, or cause to be made, projects identified in the petition  
5 submitted pursuant to either section 3 or section 4, and amendments  
6 thereto, and may levy and collect special assessments upon property in  
7 the district and provide for the payment of all or any part of the cost of  
8 the project out of the proceeds of such special assessments. If special  
9 assessments shall be levied to finance all or a portion of the cost of a  
10 project, the municipality shall follow the procedures in K.S.A. 12-6a01 et  
11 seq., and amendments thereto, to levy such assessments except that no  
12 assessments may be levied against the municipality at large and annual  
13 installments of the assessments may be levied as provided in subsection  
14 (b).

15 (b) If the method of financing for the project includes payment from  
16 the sources described in subsections (c) or (e) of section 8, and amend-  
17 ments thereto, the ordinance or resolution of the municipality that au-  
18 thORIZES the levy of special assessments may provide that the annual in-  
19 stallments of such assessment for any year may be reduced or eliminated  
20 to the extent that, prior to the date the municipality certifies the tax levy  
21 of the municipality to the county clerk pursuant to K.S.A. 79-1801, and  
22 amendments thereto, the municipality has received sufficient funds from  
23 the sources described in subsections (c) and (e) of section 8, and amend-  
24 ments thereto, to pay the debt service on any bonds issued under the  
25 provisions of this act, and amendments thereto, for the project which  
26 would have been paid by such annual installment. The municipality is not  
27 required to refund any prepayment of assessments after such prepayment  
28 is made to the municipality, and any prepayment of assessments under  
29 this section shall be in compliance with the provisions of K.S.A. 10-115,  
30 and amendments thereto.

31 Sec. 6. (a) In addition to and notwithstanding any limitations on the  
32 aggregate amount of the retailers' sales tax contained in K.S.A. 12-187  
33 through 12-197, and amendments thereto, any municipality may impose  
34 a community improvement district sales tax on the selling of tangible  
35 personal property at retail or rendering or furnishing services taxable pur-  
36 suant to the provisions of the Kansas retailers' sales tax act, and amend-  
37 ments thereto, within a community improvement district for purposes of  
38 financing a project in such district in any increment of .10% or .25% not  
39 to exceed 2% and pledging the revenue received therefrom to pay the  
40 bonds issued for the project or to reimburse the cost of the project pur-  
41 suant to pay-as-you-go financing. In the event bonds are issued to finance  
42 a project or refunding bonds issued therefore, the community improve-  
43 ment district sales tax imposed pursuant to this section shall expire no

1 later than the date such bonds shall mature. In the event pay-as-you-go  
2 financing is utilized, the community improvement district sales tax shall  
3 expire 22 years from the date the state director of taxation begins col-  
4 lecting such tax *[for when the project bonds or pay-as-you-go costs*  
5 *have been paid]*. Except as otherwise provided by the provisions of sec-  
6 tion 2 et seq., and amendments thereto, the tax authorized by this section  
7 shall be administered, collected and subject to the provisions of K.S.A.  
8 12-187 through 12-197, inclusive, and amendments thereto.

9 (b) Upon receipt of a certified copy of the resolution or ordinance  
10 authorizing the levy of the community improvement district sales tax pur-  
11 suant to this section, the state director of taxation shall cause such tax to  
12 be collected in the district at the same time and in the same manner  
13 provided for the collection of the state retailers' sales tax. All of the taxes  
14 collected under the provisions of this act shall be remitted by the secretary  
15 of revenue to the state treasurer in accordance with the provisions of  
16 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such  
17 remittance, the state treasurer shall deposit the entire amount in the state  
18 treasury ~~to the credit of the,~~ **and the state treasurer shall credit 2%**  
19 **of all taxes so collected to the community improvement district**  
20 **sales tax administration fund, which fund is hereby established in**  
21 **the state treasury, to defray the expenses of the department of**  
22 **revenue in administration and enforcement of the collection**  
23 **thereof. The aggregate amount of moneys credited to the com-**  
24 **munity improvement district sales tax administration fund shall not**  
25 **exceed \$60,000 in any state fiscal year. The remainder of such**  
26 **taxes shall be credited to the** community improvement district sales  
27 tax fund, which fund is hereby established in the state treasury. All mon-  
28 eys in the community improvement district sales tax fund shall be remit-  
29 ted at least quarterly by the state treasurer, on instruction from the sec-  
30 retary of revenue, to the treasurers of those municipalities which are  
31 qualified to receive disbursements from such fund for the amount col-  
32 lected within such municipality. Any refund due on any community im-  
33 provement district sales tax collected pursuant to this section shall be paid  
34 out of the community improvement district sales tax refund fund which  
35 is hereby established in the state treasury and reimbursed by the director  
36 of taxation from collections of the community improvement district sales  
37 tax authorized by this section. Community improvement district sales tax  
38 received by a municipality pursuant to this section shall be deposited in  
39 the community improvement district sales tax fund created pursuant to  
40 section 9, and amendments thereto.

41 (c) Notwithstanding any other provisions of law to the contrary, cop-  
42 ies of all retailers' sales and use tax returns filed with the secretary of  
43 revenue in connection with a district for which sales or use tax revenues,

1 or both, are pledged or otherwise intended to be used in whole or in part  
2 for the payment of bonds issued to finance costs of a project, shall be  
3 provided by the secretary of revenue to the bond trustee, escrow agent  
4 or paying agent for such bonds upon a written request of the municipality  
5 within 15 days of receipt by the secretary of revenue. The bond trustee,  
6 escrow agent or paying agent shall keep such retailers' sales and use tax  
7 returns and the information contained therein confidential, but may use  
8 such information for purposes of allocating and depositing such sales and  
9 use tax revenues in connection with the bonds used to finance costs of a  
10 project. Except as otherwise provided herein, the sales and use tax returns  
11 received by the bond trustee, escrow agent or paying agent shall be sub-  
12 ject to the provisions of K.S.A. 79-3614, and amendments thereto.

13 Sec. 7. No suit to set aside the assessments or otherwise question the  
14 validity of the proceedings for the creation of the district or the authori-  
15 zation of the project shall be brought after the expiration of 30 days from  
16 the publication of the ordinance or resolution creating the district. No  
17 suit to set aside the community improvement district sales tax shall be  
18 brought after the expiration of 30 days from the publication of the ordi-  
19 nance or resolution declaring the intent to impose the community im-  
20 provement district sales tax. No protest petition pertaining to the issuance  
21 of full faith and credit bonds, as described in section 11, and amendments  
22 thereto, shall be brought after the expiration of 60 days following the date  
23 of the public hearing described in section 4, and amendments thereto.

24 Sec. 8. The cost of all or a portion of any project authorized pursuant  
25 to this act shall be paid from all or any of the following sources:

26 (a) A pledge of special assessments imposed in the district pursuant  
27 to this act which have been paid in full prior to the date set aside by the  
28 governing body as provided in K.S.A. 12-6a10, and amendments thereto.

29 (b) A pledge of special assessments imposed in the district pursuant  
30 to this act, to be paid in installments.

31 (c) A pledge of all of the revenue received from the community im-  
32 provement district sales tax authorized by section 6, and amendments  
33 thereto.

34 (d) A pledge of a municipality's full faith and credit to use its ad  
35 valorem taxing authority for the repayment of full faith and credit bonds  
36 issued pursuant to section 11, and amendments thereto.

37 (e) Any other funds appropriated by the municipality for the purpose  
38 of paying project costs including the principal and interest of bonds issued  
39 pursuant to this act.

40 Sec. 9. A separate fund shall be created for each district and such  
41 fund shall be identified by a suitable title. Community improvement dis-  
42 trict sales tax remitted to the municipality pursuant to section 6, and  
43 amendments thereto, special assessments paid to the municipality pur-

1 suant to this act, proceeds from the sale of bonds issued pursuant to this  
2 act, and any other moneys appropriated by the governing body for the  
3 purpose of paying project costs, including the principal of and interest on  
4 bonds issued pursuant to this act, shall be credited to such fund. Such  
5 fund shall be used solely to pay the cost of the project through either the  
6 issuance of bonds or pay-as-you-go financing, and shall not be limited by  
7 the estimated cost amount listed in the ordinance or resolution author-  
8 izing the project. In the event moneys remain in the fund after the ex-  
9 piration of the community improvement district sales tax, such moneys  
10 shall continue to be used solely to pay the cost of the project. Upon  
11 payment of all project costs and principal of and interest on any bonds  
12 issued for such district, the municipality shall have the authority to spend  
13 any moneys remaining in such fund for the purposes for which local sales  
14 tax receipts may be spent.

15 Sec. 10. (a) Any municipality may issue special obligation bonds in  
16 one or more series to finance any project in accordance with the provi-  
17 sions of this act. Such bonds shall be made payable, both as to principal  
18 and interest solely from a pledge of the sources of funds described in  
19 subsections (a), (b), (c) and (e) of section 8, and amendments thereto.  
20 The municipality may pledge such revenue to the repayment of such  
21 bonds prior to, simultaneously with or subsequent to the issuance of such  
22 bonds, except for any revenues received under the provisions of subsec-  
23 tion (e) of section 8 and amendments thereto, which revenues are subject  
24 to annual appropriation.

25 (b) Bonds issued pursuant to this section shall not be general obli-  
26 gations of the municipality, give rise to a charge against its general credit  
27 or taxing powers, or be payable out of any funds or properties other than  
28 any of those set forth in subsections (a), (b), (c) and (e) of section 8, and  
29 amendments thereto, and such bonds shall so state on their face.

30 (c) Bonds issued pursuant to this section shall be special obligations  
31 of the municipality and are declared to be negotiable instruments. Such  
32 bonds shall be executed by the authorized representatives of the munic-  
33 ipality and sealed with the corporate seal of the municipality. All details  
34 pertaining to the issuance of the bonds and terms and conditions thereof  
35 shall be determined by ordinance or resolution of the municipality. The  
36 provisions of K.S.A. 10-106, and amendments thereto, requiring a public  
37 sale of bonds shall not apply to bonds issued under this section. All bonds  
38 issued pursuant to this section and all income or interest therefrom shall  
39 be exempt from all state taxes except inheritance taxes. Such bonds shall  
40 contain none of the recitals set forth in K.S.A. 10-112, and amendments  
41 thereto. Such bonds shall contain the following recitals: The authority  
42 under which such bonds are issued; that such bonds are in conformity  
43 with the provisions, restrictions and limitations thereof and that such

1 bonds and the interest thereon are to be paid from the money and rev-  
2 enue received as provided in this section. Such bonds shall mature in no  
3 more than 22 years.

4 (d) Any municipality issuing bonds under the provisions of this sec-  
5 tion may refund all or part of such bonds pursuant to the provisions of  
6 K.S.A. 10-116a, and amendments thereto.

7 (e) Bonds issued under the provisions of this section shall be in ad-  
8 dition to and not subject to any statutory limitation of bonded indebt-  
9 edness imposed on such municipality.

10 Sec. 11. (a) Any municipality may issue full faith and credit bonds in  
11 one or more series to finance any project in accordance with the provi-  
12 sions of this act and to refinance or refund any notes or bonds issued  
13 pursuant to this act. Bonds issued pursuant to this section shall be general  
14 obligations of the municipality and give rise to a charge against its general  
15 credit and taxing powers, and such bonds shall so state on their face. Such  
16 bonds shall be made payable, both as to principal and interest solely from  
17 a pledge of the sources of funds described in section 8, and amendments  
18 thereto, including a pledge of a municipality's full faith and credit to use  
19 its ad valorem taxing authority for the repayment thereof in the event all  
20 other authorized sources of revenue are not sufficient. The municipality  
21 may pledge such revenue to the repayment of such bonds prior to, si-  
22 multaneously with or subsequent to the issuance of such bonds.

23 (b) Bonds issued pursuant to this section shall be general obligations  
24 of the municipality and are declared to be negotiable instruments. Such  
25 bonds shall be executed by the authorized representatives of the munic-  
26 ipality and sealed with the corporate seal of the municipality. All details  
27 pertaining to the issuance of the bonds and terms and conditions thereof  
28 shall be determined by ordinance or resolution of the municipality. The  
29 provisions of K.S.A. 10-106, and amendments thereto, requiring a public  
30 sale of bonds shall not apply to bonds issued under this section. All bonds  
31 issued pursuant to this section and all income or interest therefrom shall  
32 be exempt from all state taxes except inheritance taxes. Such bonds shall  
33 contain the recitals set forth in K.S.A. 10-112, and amendments thereto.  
34 Such bonds shall mature in no more than 22 years. Any municipality  
35 issuing bonds under the provisions of this section may refund all or part  
36 of such bonds pursuant to the provisions of K.S.A. 10-427, and amend-  
37 ments thereto.

38 (c) The amount of the full faith and credit bonds issued and outstand-  
39 ing under this act which exceeds 3% of the assessed valuation of the  
40 municipality shall be within the bonded debt limit applicable to such  
41 municipality.

42 (d) If, within 60 days following the date of the public hearing de-  
43 scribed in section 4, and amendments thereto, a protest petition signed

1 by 5% of the qualified voters of the municipality is filed with the munic-  
2 ipality's clerk in accordance with the provisions of K.S.A. 25-3601 et seq.,  
3 and amendments thereto, no full faith and credit bonds shall be issued  
4 until the issuance of the full faith and credit bonds is approved by a  
5 majority of the voters voting at an election thereon. The failure of the  
6 voters to approve the issuance of full faith and credit bonds shall not  
7 prevent a municipality from issuing special obligation bonds.

8     Sec. 12. This act shall take effect and be in force from and after its  
9 publication in the statute book.