

SESSION OF 2010

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2478

As Recommended by House Committee on
Local Government

Brief*

HB 2478 would create a new law that affects the statute dealing with unilateral annexation. The bill would prohibit a city from annexing land pursuant to certain circumstances listed in KSA 12-520 (see below for the specific circumstances) unless the board of county commissioners adopts a resolution stating the proposed annexation would not have an adverse effect on the county. The resolution would have to be adopted within 30 days following the conclusion of the hearing on the proposed annexation; otherwise, the annexation would be deemed to have been approved by the board of county commissioners. The circumstances for which the resolution would be required by the bill are as follows:

- The land to be annexed is platted, and some part of the land adjoins the city.
- The land lies within or mainly within the city and has a common perimeter with the city boundary line of more than 50 percent.
- The land is 21 acres or less and, if annexed, would make the city boundary line straight or harmonious and some part thereof adjoins the city.
- The tract is 21 acres or less and is so situated that two-thirds of any boundary line adjoins the city.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

Representative Ann Mah, the bill's author, testified in favor of HB 2478. Senator Anthony Hensley, Representative Mike Burgess, several private citizens and a representative of the Kansas Farm Bureau also provided supporting testimony. Opponents included representatives of the League of Kansas Municipalities; the cities of Topeka, Overland Park, Wichita and Mulvane; and Sedgwick County.

Information from the fiscal note is as follows: According to the League of Kansas Municipalities, the bill's passage would have a fiscal effect on cities, due to the expenses involved for staff time to prepare for and appear at board of county commissioner hearings. To the extent the hearings and resultant county commissioner resolutions would result in the lack of cities' growth, there would be a resultant effect on cities' ability to accommodate economic development and growth of their tax base, the League indicated. The Kansas Association of Counties reported there would be no direct fiscal effect; however, the long-range effect involving the burden placed on rural water districts, which, in turn, would affect counties, is difficult to predict.