

HOUSE BILL No. 2503

By Representatives Reavis, Bryce, Chauncey, Ellis, Fairchild, Goddard, Howell,
James, Pickert, Poetter Parshall, Proctor, Rhiley, Roeser, Roth, Schwertfeger,
Steele, Stiens, Waggoner, Willcott and K. Williams

1-21

AN ACT concerning elections; repealing the mail ballot election act; amending K.S.A. 2-610, 2-611, 10-1116c, 12-195, 12-195b, 12-352, 12-362, 12-521, 12-12,102, 12-17,103, 12-17,151, 12-6003, 12-6005, 13-13a38, 25-2709, 42-706, 72-9939, 82a-626, 82a-649, 82a-650 and 82a-2205 and K.S.A. 2025 Supp. 25-1122, 25-2812, 25-3002 and 79-2925c and repealing the existing sections; also repealing K.S.A. 25-431, 25-433a, 25-434, 25-435, 25-436, 25-437, 25-438, 25-439, 25-440 and 82a-648 and K.S.A. 2025 Supp. 25-432 and 25-433.

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

Section 1. K.S.A. 2-610 is hereby amended to read as follows: 2-610.

(a) On or before July 15 each year, the executive board of the county extension council shall file with the county commissioners in the office of the county clerk:

(1) A list of current members of the county extension council and its executive board;

(2) a certification of election of officers as provided in ~~subsection (e) of K.S.A. 2-611(b)~~, and amendments thereto;

(3) a certificate by the director of extension of Kansas state university of agriculture and applied science that the county extension council is properly functioning and entitled to receive the appropriations provided by law; and

(4) a proposed budget prepared in cooperation with the director of extension of Kansas state university of agriculture and applied science for the ensuing calendar year.

(b) If the commission does not approve the proposed budget within 10 days after receipt thereof, it shall return the budget to the board. Upon receipt of the returned budget, the board shall consider amendments or modifications and may consult with the commission concerning the budget. Within 10 days after receipt of the returned budget, the board shall resubmit its proposed budget, with or without amendment or modification, to the commission. Within 10 days after resubmission of the proposed budget, the commission shall approve, or amend or modify and approve as amended or modified, such proposed budget. The commission shall adopt

1 the proposed budget as approved and shall make the same a part of the
2 regular county budget. The board of county commissioners shall make an
3 appropriation and certify to the county clerk the amount of tax necessary
4 to be levied on all tangible taxable property of the county sufficient to
5 provide a program of county extension work and to pay a portion of the
6 principal and interest on bonds issued under the authority of K.S.A. 12-
7 1774, and amendments thereto, by cities located in the county.

8 Sec. 2. K.S.A. 2-611 is hereby amended to read as follows: 2-611. (a)
9 Except as otherwise provided in this section, the citizens of voting age
10 residing in each of the county commissioner districts in each county in this
11 state are qualified to participate in the meeting ~~which~~ that shall be held in
12 each such district in each year not earlier than September 1, and at least 10
13 days before the annual meeting of the county extension council upon a
14 date and at a time and place determined and fixed by the executive board
15 of the county extension council and shall elect annually from among their
16 number four members of the county extension council. In Leavenworth
17 county, such election shall be held at the time of the annual Leavenworth
18 county fair. Of the four members, one shall be elected to represent
19 agriculture and shall be actively engaged in agricultural pursuits, one shall
20 be elected to represent home economics work, one shall be elected to
21 represent 4-H club and youth work; and one shall be elected to represent
22 educational programs in economic development initiatives. The county
23 extension council executive board members of each county may choose to
24 hold a countywide election meeting in lieu of holding a meeting in each
25 district. Prior to adjournment of the countywide meeting the citizens of
26 each county commissioner district shall separate into groups for the
27 purpose of electing the county extension council members who shall
28 represent the district on the county extension council. The countywide
29 meeting shall be subject to the same conditions ~~hereinafter~~ as provided
30 for county commissioner district election meetings.

31 ~~(b) The executive board of the county extension council, as provided~~
32 ~~for in subsection (f), may choose, as an alternate method of electing~~
33 ~~county extension council members, to mail a ballot to each citizen of~~
34 ~~voting age residing in the county at least three weeks before the annual~~
35 ~~meeting of the county extension council. The ballots shall contain the~~
36 ~~names and resident addresses of all persons who are candidates for county~~
37 ~~extension council membership. The incumbent county extension council~~
38 ~~members shall select not less than two persons as candidates for each~~
39 ~~position to be filled. After the ballot has been marked, each voter shall~~
40 ~~mail or otherwise transmit the ballot to the county extension office of the~~
41 ~~county at least seven days prior to the annual meeting of the county~~
42 ~~extension council.~~

43 (e)—In any county having three county commissioner districts, the

1 citizens may elect county extension council members at large or by county
2 commissioner district as determined by the executive board of the county
3 extension council for the county. In any county having other than three
4 county commissioner districts, the citizens shall elect county extension
5 council members at large. A county extension council elected at large shall
6 also have a total elected membership of 24, with six members elected to
7 represent agriculture who shall be actively engaged in agricultural
8 pursuits, six members elected to represent home economics, six members
9 elected to represent 4-H club and youth work; and six members elected to
10 represent educational programs in economic development initiatives.
11 When county extension council members are elected at large, 12 shall be
12 elected annually, three of whom shall represent agriculture, three of whom
13 shall represent home economics, three of whom shall represent 4-H club
14 and youth work; and three of whom shall represent educational programs
15 in economic development initiatives. County extension council members
16 elected at large shall serve under the same conditions as county extension
17 council members elected by county commissioner districts, except the
18 provision that three members of the executive board shall be elected from
19 each county commissioner district shall not apply.

20 ~~(d)~~(c) The 24 members so elected in the three county commissioner
21 districts, or at large, in any county shall constitute and be the county
22 extension council, and it shall be the duty of the council to plan the
23 educational extension programs of the county.

24 ~~(e)~~(d) At the annual meeting of the county extension council, the
25 council members elected to represent agricultural pursuits, home
26 economics work, 4-H club and youth work or educational programs in
27 economic development initiatives, may meet separately and elect a group
28 chairperson. Each group shall meet as necessary for the purpose of
29 developing educational program plans on extension work in agricultural
30 pursuits, in home economics work, in 4-H club and youth work; or
31 economic development initiatives. All program plans shall be subject to
32 final approval by the executive board of the county extension council.

33 ~~(f)~~(e) The county extension council shall meet annually not earlier
34 than October 1, and not later than December 20, and shall elect from
35 among its own members an executive board consisting of a chairperson, a
36 vice-chairperson, a secretary and a treasurer and five additional members.
37 The date, time and place of the annual meeting shall be determined and
38 fixed by the executive board. No more than three members of the
39 executive board shall be elected from any county commissioner district,
40 and at least one member shall be elected from each county extension
41 council member group namely, agricultural pursuits, home economics, 4-H
42 club and youth work; and educational programs in economic development
43 initiatives. The executive board of the county extension council is

1 authorized to transact all business of the council, shall have control of all
2 the property of the council; and may employ and fix the compensation of
3 such persons as are necessary for the conduct of the business of the
4 council, except as herein otherwise expressly provided.

5 ~~(g)~~(f) Members of the county extension council and of the executive
6 board shall receive no compensation for their services as members of the
7 council or of the executive board. The members of the executive board,
8 after their election and prior to entering upon the duties of their respective
9 offices, shall take and sign the usual oath of public officers and the same
10 shall be filed in the office of the county clerk.

11 ~~(h)~~(g) (1) The treasurer of the executive board after election as
12 treasurer and before entering upon the duties of the office as treasurer shall
13 execute to the council a corporate surety bond, of 100% of the amount as
14 nearly as can be ascertained that shall be in the treasurer's hands at any one
15 time. All the bonds shall be conditioned to the faithful discharge of the
16 duties of the office of treasurer. The amount and sufficiency of all bonds
17 shall be determined by the county clerk, and, upon the county clerk's
18 approval endorsed on the bond, shall be filed with the county clerk, who
19 shall immediately notify the secretary of the executive board and the
20 county treasurer of the approval and filing. The cost of any corporate
21 surety bond so furnished shall be paid by the executive board. In the event
22 of the breach of any condition thereof, the chairperson of the executive
23 board shall, and if the chairperson does not, any member of the county
24 extension council may, cause a suit to be commenced thereon in the
25 member's own name for the benefit of the council, in which suit it shall not
26 be necessary to include the treasurer as a party to the suit and the money
27 collected shall be applied to the use of the council, as the same should
28 have been applied by the treasurer.

29 (2) Public notices of each annual election meeting ~~or mail ballot~~
30 ~~election~~ for county commissioner districts or at large, and the annual
31 meeting of the county extension council provided for in this section shall
32 be published once at least one week but not more than three weeks prior to
33 the date fixed for such election or annual council meeting in a newspaper
34 having general circulation in the county. The executive board shall call
35 each of the annual election meetings and the annual meeting of the
36 extension council and shall cause the notices of meetings to be published
37 as herein required. The notices shall state the date, time and place of the
38 meeting. The cost of publishing the notices shall be paid by the executive
39 board of the county extension council.

40 (3) The elected officers and the members of the executive board shall
41 hold office for one year and until their successors are elected and qualify.
42 Vacancies in the membership of the executive board shall be filled for the
43 unexpired term from the remaining members of the county extension

1 council by the executive board. Vacancies among the officers of the
2 executive board shall be filled for the unexpired term by election from the
3 members of the executive board. Each year not earlier than January 2, and
4 not later than January 15, the retiring executive board shall meet with the
5 newly elected executive board at a time and place designated by the
6 chairperson of the retiring executive board. At the meeting the retiring
7 executive board shall conclude all business of the past year and pay all
8 lawful bills for the year in which it has served and provide the new
9 executive board with all reports, records and other information ~~which~~ *that*
10 may be necessary to the operation of the county extension program during
11 the ensuing year.

12 (4) Members of the county extension council shall hold office for a
13 term of two years and until their successors are elected and qualify, and no
14 member of the council shall hold office for more than two consecutive
15 terms. Vacancies in the membership of the county extension council shall
16 be filled by appointment by the executive board for the unexpired term of
17 office.

18 ~~(i) Notwithstanding any other provision of this section, the terms of~~
19 ~~all members of any county extension council serving on the effective date~~
20 ~~of this act shall expire in 1987, and 24 members shall be elected to~~
21 ~~constitute and be the county extension council by one of the election~~
22 ~~methods authorized by this section. Of the members elected to the county~~
23 ~~extension in 1987, six members shall be elected to represent agriculture~~
24 ~~who shall be actively engaged in agricultural pursuits, six members shall~~
25 ~~be elected to represent home economies, six members shall be elected to~~
26 ~~represent 4-H club and youth work and six members shall be elected to~~
27 ~~represent educational programs in economic development initiatives.~~
28 ~~Three of each of the six members elected to represent each county~~
29 ~~extension council member group shall hold office for a one-year term and~~
30 ~~until their successors are elected and qualify, and three of each six member~~
31 ~~group shall hold office for a two-year term and until their successors are~~
32 ~~elected and qualify.~~

33 Sec. 3. K.S.A. 10-1116c is hereby amended to read as follows: 10-
34 1116c. Any lease-purchase agreement entered into pursuant to this act shall
35 be subject to the following conditions:

36 (a) If the proposed agreement is for a term exceeding the current
37 fiscal year of the municipality, it shall be approved by a majority vote of
38 all members of the governing body.

39 (b) If the proposed agreement involves the acquisition of land or
40 buildings by a municipality other than a county, school district or
41 community college, is for a term of three or more years, and provides for
42 payments in any year in excess of 3% of the total amount budgeted by the
43 municipality for expenditure during the current year, excluding debt

1 service, a notice thereof specifying the purpose and the total of all
2 payments shall be published once each week for two consecutive weeks in
3 a newspaper of general circulation within such municipality. If, within 30
4 days following the last publication of such notice, a petition in opposition
5 to the agreement signed by not less than 5% of the qualified voters of such
6 municipality is filed with the appropriate county election officer, no such
7 agreement shall take effect unless and until the same is approved by a
8 majority of the qualified voters of such municipality voting at an election
9 thereon. Any such election shall be called and held in accordance with the
10 provisions of K.S.A. 10-120, and amendments thereto, ~~or in accordance~~
11 ~~with the provisions of the mail ballot election act.~~

12 (c) If the municipality is a county, school district or community
13 college and the proposed agreement involves the acquisition of land or
14 buildings, is for a term exceeding the current fiscal year of the
15 municipality, and provides for annual payments—~~which that~~ in the
16 aggregate exceed \$100,000, the governing body of such municipality first
17 shall adopt a resolution stating its intent to enter into such lease-purchase
18 agreement. The resolution shall specify the total of all payments to be
19 made pursuant to the agreement and the purpose for which such agreement
20 is to be entered into. The resolution shall be published once each week for
21 two consecutive weeks in a newspaper of general circulation within the
22 municipality. If a protest petition signed by not less than 5% of the
23 qualified voters of the municipality, as determined by the vote for secretary
24 of state at the last general election, is filed with the appropriate county
25 election officer within 30 days following the last publication of the
26 resolution, no such agreement shall take effect unless approved by a
27 majority of the qualified voters of the municipality voting at an election
28 thereon. Any such election shall be called and held in the manner provided
29 by K.S.A. 10-120, and amendments thereto, ~~or in accordance with the~~
30 ~~provisions of the mail ballot election act.~~ If no such protest petition is filed
31 within the time limitation contained herein, the governing body of the
32 municipality may enter into such agreement. If an election is held pursuant
33 to a protest petition and a majority vote is cast in favor of the proposition,
34 the governing body of the municipality shall have authority to enter into
35 such agreement.

36 (d) If the proposed agreement is for a term exceeding the current
37 fiscal year of the municipality, the agreement shall specify the following:

38 (1) The amount or capital cost required to purchase the item if paid
39 for by cash;

40 (2) the annual average effective interest cost; and

41 (3) the amount included in the payments for service, maintenance,
42 insurance or other charges exclusive of the capital cost and interest cost.

43 Sec. 4. K.S.A. 12-195 is hereby amended to read as follows: 12-195.

1 (a) Except as otherwise provided in K.S.A. 12-195b, 12-1774, 12-17,103
2 and 74-8924, and amendments thereto, or subsection (b), no city or county
3 shall commit any of the funds or proceeds derived from a retailers' sales
4 tax as a guarantee for the payment of bonds issued by such city or county
5 or the Kansas development finance authority.

6 (b) (1) Any city or county ~~which~~ that is the recipient of funds derived
7 from a local option sales tax pursuant to K.S.A. 12-187 et seq., and
8 amendments thereto, is hereby authorized to issue revenue bonds to
9 provide for the payment of all or any portion of the cost of public facilities
10 or improvements of such city or county for which such city or county is
11 authorized pursuant to the constitution or laws of this state to issue general
12 obligation bonds and to pledge revenues received from countywide or city
13 retailers' sales taxes for the payment thereof. No such bonds shall be issued
14 for the payment of all or any portion of the cost of any facilities or
15 improvements to be used for commercial or retail purposes, except that
16 such prohibition shall not apply to revenue bonds issued for the payment
17 of the cost of constructing or improving a convention or exposition hall or
18 center or public auditorium. In the event the governing body of a city or
19 county proposes to issue such bonds, and the question of pledging the
20 revenues received from the countywide or city retailers' sales tax has not
21 previously been submitted to and approved by the voters of the city or
22 county, such proposition shall be published once each week for two
23 consecutive weeks in the official city or county newspaper, as the case
24 requires. If, within 30 days after the last publication of the proposition, a
25 petition is filed with the county election officer signed by not less than 4%
26 of the electors of the city or county, as the case requires, who voted for the
27 office of secretary of state at the last preceding general election for such
28 office requesting an election thereon, no such bonds shall be issued unless
29 the proposition is submitted to and approved by a majority of the voters of
30 the city or county, as the case requires, voting at an election held thereon.
31 Any such election shall be called and held in accordance with the
32 provisions of K.S.A. 10-120, and amendments thereto, ~~or in accordance~~
33 ~~with the provisions of the mail ballot election act.~~

34 (1)(2) Such bonds shall be authorized by ordinance of the governing
35 body of such city or resolution of the governing body of such county. The
36 bonds may be issued as registered bonds or coupon bonds, payable to
37 bearer, and, if coupon bonds, may be registrable as to principal only or as
38 to principal and interest, and may be made exchangeable for bonds of
39 another denomination or in another form. The bonds may be in such form
40 and denominations, may have such date or dates, may be stated to mature
41 at such time or times, may bear interest payable at such times and at such
42 rate or rates, may be payable at such places within or without the state,
43 may be subject to such terms of redemption in advance of maturity at such

1 prices, and may contain such terms and conditions, all as the city or county
2 shall determine. The bonds shall have all the qualities of and shall be
3 deemed to be negotiable instruments under the laws of the state of Kansas.
4 The authorizing ordinance or resolution may contain any other terms,
5 covenants and conditions that the city or county deems reasonable and
6 desirable, including without limitation those pertaining to the maintenance
7 of various funds and reserves, the nature and extent of any security for
8 payment of the bonds, the custody and application of the proceeds of the
9 bonds, the collection, transfer and disposition of sales tax revenues, the
10 investing of bond proceeds or any funds pledged to the repayment of the
11 bonds, and the rights, duties and obligations of the city or county and the
12 owners of the bonds.

13 (2)(3) The authorizing ordinance or resolution may provide for the
14 execution of a trust indenture between the city or county and any financial
15 institution within or without the state of Kansas. The trust indenture may
16 contain any terms, covenants and conditions that are deemed desirable by
17 the city or county.

18 (3)(4) Any authorizing ordinance or resolution and trust indenture
19 relating to the issuance of and security for the bonds shall constitute a
20 contract between the city or county and the owners of the bonds, which
21 contract, and all covenants, agreements and obligations therein, shall be
22 promptly performed in strict compliance with the terms and provisions of
23 such contract, and the covenants, agreements and obligations of the city or
24 county may be enforced by mandamus or other appropriate proceeding at
25 law or in equity. The pledge of revenues made by the city or county shall
26 be valid and binding from the time when such pledge is made and the
27 revenues so pledged and thereafter received by the city or county shall
28 immediately be subject to the lien of such pledge without such physical
29 delivery thereof or further act on the part of the city or county, and the lien
30 of any such pledge shall be valid and binding as against all parties having
31 claims of any kind against the issuer, irrespective of whether such parties
32 have notice thereof. Neither the authorizing ordinance or resolution nor
33 any other instrument by which a pledge is created need be filed or
34 recorded except in the records of the city or county.

35 (4)(5) The revenue bonds may be sold in such manner, either at
36 public or private sale, and upon such terms as the city or county shall
37 determine to be reasonable, including sale at discount. It shall be plainly
38 stated on the face of each such bond that it has been issued under this act,
39 that the bonds shall be special obligations of the city or county, payable
40 solely and only from the revenues pledged to the payment of the bonds and
41 that in no event, shall the bonds constitute an indebtedness of the state of
42 Kansas or the city or county for which the faith and credit of the state of
43 Kansas or city or county is pledged.

1 ~~(5)~~(6) Any bonds issued under the provisions of this section and the
2 interest thereon, shall be exempt from all taxes levied by the state of
3 Kansas, or any political or taxing subdivision thereof.

4 ~~(6)~~(7) Bonds may be issued for the purpose of refunding, either at
5 maturity or in advance of maturity, any bonds issued under this section.
6 Such refunding bonds may either be sold or delivered in exchange for the
7 bonds being refunded. If sold, the proceeds may either be applied to the
8 payment of the bonds being refunded or deposited in trust and there
9 maintained in cash or investments for the retirement of the bonds being
10 refunded, as shall be specified by the city or county and the authorizing
11 ordinance or resolution or trust indenture securing such refunding bonds.
12 The authorizing ordinance or resolution or trust indenture securing the
13 refunding bonds may provide that the refunding bonds shall have the same
14 security for their payment as provided for the bonds being refunded.
15 Refunding bonds shall be sold and secured in accordance with the
16 provisions of this act pertaining to the sale and security of the bonds.

17 ~~(7)~~(8) Bonds issued under the provisions of this act shall be eligible
18 to secure the deposit of public funds under article 14 of chapter 9 of the
19 Kansas Statutes Annotated, and amendments thereto.

20 ~~(8)~~(9) Bonds issued under the provisions of this act shall be in
21 addition to and not subject to any statutory limitation of bonded
22 indebtedness imposed on such city or county.

23 Sec. 5. K.S.A. 12-195b is hereby amended to read as follows: 12-
24 195b. The governing body of any city or county by the appropriate
25 ordinance or resolution, may authorize the issuance of general obligation
26 bonds to provide for the payment of all or any portion of the cost of any
27 public facilities or improvements for which such city or county is
28 otherwise authorized pursuant to the constitution or laws of this state to
29 issue general obligation bonds. The governing body may pledge revenues
30 received from countywide or city retailers' sales taxes imposed pursuant to
31 K.S.A. 12-187 et seq., and amendments thereto, for the payment of such
32 bonds. The pledge of revenues received from countywide or city retailers'
33 sales taxes for payment of such bonds shall constitute an irrevocable
34 pledge of the revenues and shall be made a lien on the revenues for the
35 benefit of bondholders. Any bonds issued under this section shall be
36 subject to the following requirements:

37 (a) Before the governing body of any city or county shall issue any
38 general obligation bonds as authorized herein, the governing body shall
39 cause to be prepared a comprehensive feasibility study showing that
40 revenues received from a countywide or city retailers' sales tax would be
41 sufficient to retire such bonds.

42 (b) Such bonds shall constitute a general obligation of the city or
43 county payable from the pledged revenue received from countywide or

1 city retailers' sales taxes, and if not so paid, such bonds shall be payable
2 from ad valorem taxes ~~which~~ that for the purpose of paying such bonds
3 may be levied without limit as to rate or amount by the city or county, and
4 shall be printed as provided in K.S.A. 10-112, and amendments thereto.

5 (c) Any bonds issued under the provisions of this section and the
6 interest thereon, shall be exempt from all taxes levied by the state of
7 Kansas or any political or taxing subdivision thereof.

8 (d) All bonds ~~which~~ that are to be financed in accordance with the
9 provisions of this section shall be subject to any statutory limitation of
10 bonded indebtedness imposed on a city or county unless:

11 (1) The law authorizing the issuance of such bonds specifically
12 excludes such bonds from any statutory limitation of bonded indebtedness;

13 (2) the bonds are excluded from the computation of bonded
14 indebtedness pursuant to K.S.A. 10-307 or 10-309, and amendments
15 thereto; or

16 (3) the bonds are issued by Douglas county or Sherman county.

17 (e) In the event the governing body of a city or county proposes to
18 issue such bonds, and the question of issuing bonds as authorized herein
19 has not previously been submitted to and approved by the voters of the city
20 or county such proposition shall be published once each week for two
21 consecutive weeks in its official newspaper. If within 30 days after the last
22 publication of the proposition, a petition is filed with the county election
23 officer signed by not less than 5% of the electors of the city or county who
24 voted in the last preceding general election of the city or county, then no
25 such bonds shall be issued unless the proposition is submitted to and
26 approved by a majority of the voters of the city or county voting at an
27 election held thereon. Any such elections shall be called and held in
28 accordance with the provisions of K.S.A. 10-120, and amendments
29 thereto, ~~or in accordance with the provisions of the mail ballot election act.~~

30 Sec. 6. K.S.A. 12-352 is hereby amended to read as follows: 12-352.

31 (a) The commission shall prepare and adopt a plan addressing the
32 consolidation of the city and county or certain city and county offices,
33 functions, services and operations. The commission shall conduct such
34 studies and investigations as it deems appropriate to complete its work.
35 Such studies and investigations shall include, but not be limited to, studies
36 of the costs and benefits of consolidating the city and county or certain city
37 and county offices, functions, services and operations.

38 (b) The commission shall hold public hearings for the purpose of
39 receiving information and materials ~~which~~ that will aid in the drafting of
40 the plan.

41 (c) Within 60 days following the appointment of all members of the
42 commission, the commission shall prepare and adopt a preliminary plan
43 addressing the consolidation of the city and county or certain city and

1 county offices, functions, services and operations it deems advisable.
2 Copies of the preliminary plan shall be filed with the county election
3 officer, city clerk, each public library within the county and any other
4 place designated by the commission. Copies of such plan shall be available
5 to members of the public for inspection upon request. The commission
6 shall hold at least two public hearings to obtain citizen views concerning
7 the preliminary plan. Notice of such hearings shall be published at least
8 twice in a newspaper of general circulation within the county. Following
9 the public hearings on the preliminary plan, the commission may adopt, or
10 modify and adopt, the preliminary plan as the final plan.

11 (d) Within 30 days of the last public hearing held on the preliminary
12 plan, the commission shall adopt its final plan. The final plan shall include
13 the full text and an explanation of the proposed plan, and comments
14 deemed desirable by the commission, a written opinion by an attorney
15 admitted to practice law in the state of Kansas and retained by the
16 executive director for such purpose that the proposed plan is not in conflict
17 with the constitution or the laws of the state, and any minority reports.
18 Copies of the final plan shall be filed with the county election officer, city
19 clerk, each public library within the county and any other place designated
20 by the commission. Copies of such plan shall be available to members of
21 the public for inspection upon request. The commission shall continue in
22 existence at least 90 days following the submission of the final plan
23 pursuant to this subsection.

24 (e) (1) The final plan shall be submitted to the qualified electors of
25 the county at an election called and held thereon. Such election shall be
26 called and held by the county election officer in the manner provided by
27 the general bond law. ~~Such election shall be conducted by mail ballot.~~ A
28 summary of the final plan shall be prepared by the commission and shall
29 be published once each week for two consecutive weeks in a newspaper of
30 general circulation within the county. If a majority of the qualified electors
31 voting on the plan who reside within the corporate limits of the city and a
32 majority of the qualified electors voting on the plan who reside outside of
33 the corporate limits of the city vote in favor thereof, the consolidation plan
34 shall be implemented in the manner provided by the plan. If a majority of
35 the electors who reside within the corporate limits of the city or a majority
36 of the qualified electors who reside outside of the corporate limits of the
37 city vote against such plan, the proposed consolidation plan shall not be
38 implemented.

39 (2) If the commission submits a final plan ~~which~~ *that* does not
40 recommend the consolidation of the city and county or certain city and
41 county offices, functions, services and operations, the provisions of this
42 subsection shall not apply.

43 Sec. 7. K.S.A. 12-362 is hereby amended to read as follows: 12-362.

1 (a) The commission shall prepare and adopt a plan addressing the
2 unification of the city and county or certain city and county offices,
3 functions, services and operations. The commission shall conduct such
4 studies and investigations as it deems appropriate to complete its work.
5 Such studies and investigations shall include, but not be limited to, studies
6 of the costs and benefits of unifying the city and county or certain city and
7 county offices, functions, services and operations.

8 (b) The commission shall hold public hearings for the purpose of
9 receiving information and materials ~~which~~ *that* will aid in the drafting of
10 the plan.

11 (c) Within one year following the appointment of all members of the
12 commission, the commission shall prepare and adopt a preliminary plan
13 addressing the unification of the city and county or certain city and county
14 offices, functions, services and operations it deems advisable. Copies of
15 the preliminary plan shall be filed with the county election officer, city
16 clerk, each public library within the county and any other place designated
17 by the commission. Copies of such plan shall be available to members of
18 the public for inspection upon request. The commission shall hold at least
19 two public hearings to obtain citizen views concerning the preliminary
20 plan. Notice of such hearings shall be published at least twice in a
21 newspaper of general circulation within the county. Following the public
22 hearings on the preliminary plan, the commission may adopt, or modify
23 and adopt, the preliminary plan as the final plan.

24 (d) Within 30 days of the last public hearing held on the preliminary
25 plan, the commission shall adopt its final plan. The final plan shall include
26 the full text and an explanation of the proposed plan, and comments
27 deemed desirable by the commission, a written opinion by an attorney
28 admitted to practice law in the state of Kansas and retained by the
29 executive director for such purpose that the proposed plan is not in conflict
30 with the constitution or the laws of the state, and any minority reports.
31 Copies of the final plan shall be filed with the county election officer, city
32 clerk, each public library within the county and any other place designated
33 by the commission. Copies of such plan shall be available to members of
34 the public for inspection upon request. The commission shall continue in
35 existence at least 90 days following the submission of the final plan
36 pursuant to this subsection.

37 (e) (1) The final plan shall be submitted to the qualified electors of
38 the county at any primary, general or special election. If the statutorily
39 mandated duties of an elective office are to be eliminated or if the office is
40 to be eliminated and the duties transferred to a nonelective office, the
41 question of elimination of such duties or office shall be submitted to the
42 voters as a separate ballot question. Such election shall be called and held
43 by the county election officer in the manner provided for the calling and

1 holding of elections pursuant to K.S.A. 10-120, and amendments thereto.
2 ~~Such election may be conducted by mail ballot.~~ A summary of the final
3 plan shall be prepared by the commission and shall be published once each
4 week for two consecutive weeks in a newspaper of general circulation
5 within the county. If a majority of the qualified electors voting on the plan
6 who reside within the corporate limits of the city and a majority of the
7 qualified electors voting on the plan who reside outside of the corporate
8 limits of the city vote in favor thereof, the unification plan shall be
9 implemented in the manner provided by the plan. If a majority of the
10 electors who reside within the corporate limits of the city or a majority of
11 the qualified electors who reside outside of the corporate limits of the city
12 vote against such plan, the proposed unification plan shall not be
13 implemented.

14 (2) Any proposed unification ~~which~~ *that* eliminates an elective office
15 shall provide that the elimination of such office shall become effective
16 upon the date of normal expiration of the term of such office.

17 (3) If the final plan provides for the unification of the city of Horace
18 with the county or the unification or elimination of any of the offices or
19 powers, duties and functions of such offices of the city of Horace and a
20 majority of the qualified electors of the city of Horace voting on the plan
21 do not vote in favor thereof, the city of Horace and officers thereof shall
22 continue in existence and operation as if no unification had occurred.

23 (4) If the commission submits a final plan ~~which~~ *that* does not
24 recommend the unification of the city and county or certain city and
25 county offices, functions, services and operations, the provisions of this
26 subsection shall not apply.

27 Sec. 8. K.S.A. 12-521 is hereby amended to read as follows: 12-521.

28 (a) Whenever the governing body of any city deems it advisable to annex
29 land ~~which~~ *that* such city is not permitted to annex under K.S.A. 12-520,
30 and amendments thereto, or if the governing body of any city is permitted
31 to annex land under K.S.A. 12-520, and amendments thereto, but deems it
32 advisable not to annex thereunder, the governing body may annex such
33 land as provided by this section. The governing body, in the name of the
34 city, may present a petition to the board of county commissioners of the
35 county in which the land sought to be annexed is located. The petition
36 shall set forth a legal description of the land sought to be annexed and
37 request a public hearing on the advisability of such annexation. The
38 governing body of such city shall make plans for the extension of services
39 to the tract of land proposed to be annexed and shall file a copy thereof
40 with the board of county commissioners at the time of presentation of the
41 petition. Such report shall include:

42 (1) A sketch clearly delineating the land proposed to be annexed and
43 the area of the city adjacent thereto to show the following information:

1 (A) The present and proposed boundaries of the city affected by such
2 proposed annexation;

3 (B) the present streets, water mains, sewers and other city utility
4 lines, and the proposed extension thereto; and

5 (C) the general land use pattern in the areas to be annexed.

6 (2) A statement setting forth a plan of sufficient detail to provide a
7 reasonable person with a full and complete understanding of the intentions
8 of the city for extending to the area to be annexed each major municipal
9 service provided to persons and property located within the city and area
10 proposed to be annexed at the time of annexation and the estimated cost of
11 providing such services. The plan shall state the estimated cost impact of
12 providing such services to the residents of the city and the residents of the
13 area proposed to be annexed. The plan shall state the method by which the
14 city plans to finance the extension of such services to such area. The plan
15 shall include a timetable for the extension of major municipal services to
16 the area proposed to be annexed. The plan shall state the means by which
17 the services currently provided by a township or special district in the area
18 to be annexed shall be maintained by the city at a level ~~which~~ that is equal
19 to or better than the level of services provided prior to annexation. The
20 plan shall state those services ~~which~~ that shall be provided immediately
21 upon annexation and those services ~~which~~ that may be provided upon
22 petition of the landowners to create a benefit district.

23 (b) The date fixed for the public hearing shall be not less than 60 nor
24 more than 70 days following the date of the presentation of the petition
25 requesting such hearing. Notice of the time and place of the hearing,
26 together with a legal description of the land sought to be annexed and the
27 names of the owners thereof, shall be published in a newspaper of general
28 circulation in the city not less than one week and not more than two weeks
29 preceding the date fixed for such hearing. A copy of the notice providing
30 for the public hearing shall be mailed by certified mail to each owner of
31 the land proposed to be annexed not more than 10 days following the date
32 of the presentation of the petition requesting such hearing. A sketch clearly
33 delineating the area in such detail as may be necessary to advise the reader
34 of the particular land proposed to be annexed shall be published with such
35 notice and a copy thereof mailed to the owner of the property with such
36 notice. The board for good cause shown may continue the hearing beyond
37 the time specified in the notice without further publication.

38 (c) (1) On the day set for hearing, the board of county commissioners
39 shall hear testimony as to the advisability of such annexation, and a
40 representative of the city shall present the city's proposal for annexation,
41 including the plan of the city for the extension of services to the area
42 proposed to be annexed.

43 (2) The action of the board of county commissioners shall be quasi-

1 judicial in nature. The board of county commissioners shall consider the
2 impact of approving or disapproving the annexation on the entire
3 community involved, including the city and the land proposed to be
4 annexed, in order to insure the orderly growth and development of the
5 community. The board shall make specific written findings of fact and
6 conclusions determining whether such annexation or the annexation of a
7 lesser amount of such area causes manifest injury to the owners of any
8 land proposed to be annexed, or to the owners of land in areas near or
9 adjacent to the land proposed to be annexed or to the city if the annexation
10 is disapproved. The findings and conclusions shall be based upon the
11 preponderance of evidence presented to the board. In determining whether
12 manifest injury would result from the annexation, the board's
13 considerations shall include, but not be limited to, the extent to which the
14 following criteria may affect the city, the area to be annexed, the residents
15 of the city and the area to be annexed, other governmental units providing
16 services to the area to be annexed, the utilities providing services to the
17 area to be annexed, and any other public or private person, firm or
18 corporation ~~which~~ that may be affected thereby:

19 (1)(A) Extent to which any of the area is land devoted to agricultural
20 use;

21 (2)(B) area of platted land relative to unplatted land;

22 (3)(C) topography, natural boundaries, storm and sanitary sewers,
23 drainage basins, transportation links or any other physical characteristics
24 ~~which~~ that may be an indication of the existence or absence of common
25 interest of the city and the area proposed to be annexed;

26 (4)(D) extent and age of residential development in the area to be
27 annexed and adjacent land within the city's boundaries;

28 (5)(E) present population in the area to be annexed and the projected
29 population growth during the next five years in the area proposed to be
30 annexed;

31 (6)(F) the extent of business, commercial and industrial development
32 in the area;

33 (7)(G) the present cost, methods and adequacy of governmental
34 services and regulatory controls in the area;

35 (8)(H) the proposed cost, extent and the necessity of governmental
36 services to be provided by the city proposing annexation and the plan and
37 schedule to extend such services;

38 (9)(I) tax impact upon property in the city and the area;

39 (10)(J) extent to which the residents of the area are directly or
40 indirectly dependent upon the city for governmental services and for
41 social, economic, employment, cultural and recreational opportunities and
42 resources;

43 (11)(K) effect of the proposed annexation on the city and other

1 adjacent areas, including, but not limited to, other cities, sewer and water
2 districts, improvement districts, townships or industrial districts and,
3 subject to the provisions of K.S.A. 12-521a, and amendments thereto, fire
4 districts;

5 ~~(12)~~(L) existing petitions for incorporation of the area as a new city
6 or for the creation of a special district;

7 ~~(13)~~(M) likelihood of significant growth in the area and in adjacent
8 areas during the next five years; and

9 ~~(14)~~(N) effect of annexation upon the utilities providing services to
10 the area and the ability of those utilities to provide those services shown in
11 the detailed plan.

12 (d) The board of county commissioners shall render a judgment
13 within seven days after the hearing has been adjourned sine die. If two-
14 thirds of the members of the board of county commissioners concludes
15 that the annexation or any part thereof should be allowed, the board shall
16 so find and grant the annexation by order; and thereupon the city may
17 annex the land by ordinance. When an order denying a petition or part
18 thereof is issued, it shall be by resolution, which shall be sent by certified
19 mail to the city proposing the annexation. All orders of the board of county
20 commissioners granting or denying petitions for annexation shall be spread
21 at length upon the journal of proceedings of the board. The failure of such
22 board to spread an order granting annexation upon the journal shall not
23 invalidate such order.

24 (e) Within 10 days following the rendering of the judgment of the
25 board of county commissioners granting all or a part thereof of any
26 annexation involving 40 acres or more as provided in subsection ~~(e)~~(d), the
27 city clerk shall certify to the county election officer a legal description and
28 a map of the area outside the corporate limits of the city proposed to be
29 annexed and the addresses of all qualified electors as defined in K.S.A. 12-
30 519, and amendments thereto, located therein. The county election officer
31 shall conduct ~~a mail ballot~~ *an election under the provisions of K.S.A. 25-*
32 ~~431 et seq., and amendments thereto, within 60 days of such certification~~
33 *on the immediately succeeding election date*. If a majority of the qualified
34 electors voting thereon approve the annexation, the city may annex the
35 land by passage of an ordinance. If a majority of the qualified electors
36 reject the annexation, the lands shall not be annexed and the city may not
37 propose the annexation of any such lands in the proposed area for at least
38 four years from the date of the election, unless the proposed annexation is
39 authorized by ~~paragraphs (2), (3) or (7) of subsection (a) of K.S.A. 12-~~
40 ~~520(a)(2), (a)(3) or (a)(7), and amendments thereto~~. If the area proposed
41 to be annexed is less than 40 acres, then the board may render a judgment
42 on the petition unless the board has previously granted three annexations
43 of adjoining tracts within a 60-month period.

1 (f) Any owner of land annexed pursuant to this section or the city
2 aggrieved by the decision of the board of county commissioners may
3 appeal the decision of the board to the district court of the same county in
4 the manner and method set forth in K.S.A. 19-223, and amendments
5 thereto. Nothing in this subsection shall be construed as granting the
6 owner of land in areas near or adjacent to land annexed pursuant to this
7 section the right to appeal the decision of the board of county
8 commissioners. Any city so appealing shall not be required to execute the
9 bond prescribed therein.

10 Sec. 9. K.S.A. 12-12,102 is hereby amended to read as follows: 12-
11 12,102. (a) The library district board may issue general obligation bonds of
12 the library district for the purpose of paying the cost of constructing,
13 reconstructing, repairing, remodeling, furnishing and equipping any library
14 building or additions thereto, including any sites therefor. Bonds issued
15 pursuant to this section shall not be subject to or within any bonded debt
16 limit of the city of Eudora or Eudora township. The library district may
17 levy a tax sufficient to pay the principal and interest on such bonds.

18 (b) The question of issuing general obligation bonds shall be
19 submitted to the qualified electors of the library district. The election shall
20 be called and held, and the bonds issued in accordance with the provisions
21 of the general bond law. ~~An election may be conducted pursuant to the~~
22 ~~mail ballot election act, K.S.A. 25-431 et seq., and amendments thereto.~~ If
23 a majority of persons eligible to vote approve the bond issue proposition,
24 the bonds may be issued.

25 (c) The bonds shall not be considered a debt obligation of the city of
26 Eudora or the Eudora township.

27 Sec. 10. K.S.A. 12-17,103 is hereby amended to read as follows: 12-
28 17,103. (a) The governing body of the city, acting on and in behalf of the
29 district, may issue municipal improvement district bonds for the cost of
30 improvements as defined by ~~subsection (c) of~~ K.S.A. 12-1795(c), and
31 amendments thereto. The principal of and interest on the bonds shall be
32 payable: (1) From a levy of ad valorem taxes on all of the taxable tangible
33 property within the district; (2) in cases of revenue producing
34 improvements, from a pledge of the income and receipts derived
35 therefrom; (3) in cities ~~which~~ *that* receive revenue from a local option
36 sales tax pursuant to K.S.A. 12-187 et seq., and amendments thereto, from
37 a pledge of a portion or all of the receipts derived from the tax; or (4) from
38 any combination of these methods. The bonds shall be issued in
39 accordance with the general bond law but shall not be general obligations
40 of the city. The bonds shall bear interest at a rate not to exceed the
41 maximum rate of interest prescribed by K.S.A. 10-1009, and amendments
42 thereto. In the event the district is dissolved as an operating agency, the
43 property in the district shall remain liable for any taxes levied to pay any

1 principal and interest on any bonds authorized, issued and still
2 outstanding. No bonds shall be issued until a public hearing is held thereon
3 in the manner provided by K.S.A. 12-17,101a, and amendments thereto.

4 (b) In the event the governing body of a city proposes to issue such
5 bonds, the principal and interest for which are payable in whole or in part
6 from a pledge of local option sales tax revenues, and the question of
7 pledging the revenues received from the sales tax has not previously been
8 submitted to and approved by the voters of the city, such proposition shall
9 be published once each week for two consecutive weeks in the official city
10 newspaper. If, within 30 days after the last publication of the proposition, a
11 petition is filed with the county election officer signed by not less than
12 10% of the electors of the city who voted in the last preceding general
13 election of the city requesting an election thereon, no such bonds shall be
14 issued unless the proposition is submitted to and approved by a majority of
15 the voters of the city voting at an election held thereon. Any such election
16 shall be called and held in accordance with the provisions of K.S.A. 10-
17 120, and amendments thereto, ~~or in accordance with the provisions of the~~
18 ~~mail ballot election act.~~

19 Sec. 11. K.S.A. 12-17,151 is hereby amended to read as follows: 12-
20 17,151. The provisions of K.S.A. 12-17,140 through 12-17,150, and
21 amendments thereto, and K.S.A. 12-194 ~~and 25-432~~, as amended ~~pursuant~~
22 ~~to this act by section 14 of chapter 120 of the 2003 Session Laws of~~
23 *Kansas*, shall apply to all transportation development districts, whether
24 created before or after July 1, 2003.

25 Sec. 12. K.S.A. 12-6003 is hereby amended to read as follows: 12-
26 6003. (a) (1) Upon the approval of the electors as provided by this act, the
27 board of county commissioners of Shawnee county may authorize the
28 imposition of a sales tax on all retail sales made within Shawnee county
29 for the sole purpose of funding the acquisition, construction, improvement,
30 equipping, operation, support, maintenance and development of the
31 eligible recreational facilities within the county and the creation of the
32 Gage park improvement authority to administer the proceeds of the sales
33 tax for such purposes. The sales tax may be imposed in increments of
34 0.05%, except that such sales tax imposed shall not be less than 0.2% and
35 shall not exceed 0.5%.

36 (2) The board of county commissioners shall determine a time for a
37 hearing upon the question of whether there shall be the creation of a Gage
38 park improvement authority and the imposition of a sales tax. The county
39 clerk shall give notice of the hearing for three consecutive weeks on the
40 county website and in a newspaper of general circulation within the
41 county. The last publication of such notice shall be at least five days before
42 the day of the hearing. The notice shall include a statement that the hearing
43 is to consider the creation of a Gage park improvement authority and the

1 imposition of a sales tax as authorized by this act. Such notice shall also
2 provide the rate of the sales tax proposed and information that a hearing
3 will be held by the board, including the day and the hour of the hearing
4 and that all persons interested may appear and be heard at the hearing
5 before the board.

6 (3) If, after the hearing, the board of county commissioners
7 determines that the interests of the people of the county will be advanced
8 by the creation of the Gage park improvement authority and the imposition
9 of the sales tax, the board shall adopt a resolution proposing the creation of
10 the authority and the imposition of the sales tax at the rate determined by
11 the board for submission to the electors of the county as provided by
12 subsection (c). The resolution shall become effective upon adoption by a
13 majority of the electors of the county.

14 (b) A petition requesting the creation of the Gage park improvement
15 authority and the imposition of the sales tax described by subsection (a)(1)
16 within the county may be presented to the board of county commissioners.
17 The petition shall be signed by not less than the number of qualified
18 electors of Shawnee county equal to 5% of the electors of the county who
19 voted at the last preceding regular county election. The petition shall be
20 filed with the Shawnee county election office at least 60 days prior to the
21 date of an election in an even-numbered year. Upon receipt of the petition
22 with the required number of signatures of qualified electors, the board
23 shall cause an election to be held as provided by subsection (c). The
24 petition shall become effective upon submission to and adoption by a
25 majority of the electors of the county.

26 (c) (1) If, at the conclusion of a public hearing, the board of county
27 commissioners adopts a resolution as provided by subsection (a), or the
28 board is presented with a petition as provided by subsection (b), the board
29 shall direct the county clerk to submit a proposition to create the Gage
30 park improvement authority and impose the sales tax as described by
31 subsection (a)(1) to the qualified electors within the county. Such election
32 shall be held in an even-numbered year. Notice of such election shall be
33 published on the county website and at least once per week for two
34 consecutive weeks in the official county newspaper. The second notice
35 shall be published at least seven days prior to the date of the election. Any
36 such election shall be called and held at any general election, as defined in
37 K.S.A. 25-2502, and amendments thereto, or at a special election called
38 for such purpose. ~~In lieu thereof, such election may be called and held in~~
39 ~~the manner provided by K.S.A. 25-431 et seq., and amendments thereto.~~

40 (2) The proposition presented to the electors shall be in substantially
41 the following form:

42 "Shall a Gage Park Improvement Authority be created and supported
43 through the levy of a _____ (insert rate, not to be less than 0.2% or more

1 than 0.5%) countywide sales tax to benefit Gage Park, the Topeka Zoo and
2 Kansas Children's Discovery Center?"

3 The county board of commissioners may place additional language on
4 the ballot to describe the use or allocation of the funds in a manner
5 consistent with this act.

6 (d) If the proposition is approved by a majority of the voters of the
7 county voting at such election, the Gage park improvement authority shall
8 be created and the sales tax as described in subsection (a)(1) shall be
9 imposed by the board of county commissioners at the rate approved by the
10 electors. The sales tax shall be collected and distributed as provided by
11 K.S.A. 12-6004, and amendments thereto. The sales tax shall be in effect
12 as of the first day of the year following the election. The board shall
13 proceed with the performance of all things necessary and incidental to the
14 establishment of the authority. The members shall be appointed and the
15 authority shall hold the first meeting before the first day of the year
16 following the election, as provided in K.S.A. 12-6006, and amendments
17 thereto.

18 (e) If the majority of the electors of the county reject the proposition,
19 any subsequent resolution by the board of county commissioners adopted
20 pursuant to subsection (a) or a petition presented to the board pursuant to
21 subsection (b) may be resubmitted to the electors after one year from the
22 date of the last election on any such proposition.

23 (f) The sales tax, or portion thereof, levied pursuant to the Gage park
24 improvement authority act shall continue in effect until repealed in the
25 manner provided herein for the adoption and approval of such tax.

26 Sec. 13. K.S.A. 12-6005 is hereby amended to read as follows: 12-
27 6005. (a) (1) If the initial Gage park improvement authority sales tax is
28 imposed at a rate lower than 0.5%, then the board of county
29 commissioners may adopt a resolution stating the board's intention to
30 increase the Gage park improvement authority sales tax imposed pursuant
31 to K.S.A. 12-6004, and amendments thereto, by one or more increments of
32 0.05%. Such tax shall be imposed for the sole purpose of financing the
33 acquisition, construction, improvement, equipment, operation, support,
34 maintenance and development of eligible recreational facilities within the
35 county and shall be administered by the authority as provided by K.S.A.
36 12-6007, and amendments thereto. The sales tax may be increased as
37 provided by this section one or more times, but the total aggregate sales
38 tax authorized by this act shall not exceed 0.5%.

39 (2) The board of county commissioners shall determine a time for a
40 hearing upon the question of whether the Gage park improvement
41 authority sales tax shall be increased and direct the county clerk to give
42 notice thereof for three consecutive weeks on the county website and in a
43 newspaper of general circulation within the county. The last publication of

1 such notice shall be at least five days before the day of the hearing. The
2 notice shall include a statement that the hearing is for the purpose of
3 considering the incremental increase of the sales tax, the increase in the
4 sales tax rate, the resulting aggregate rate of the sales tax, and information
5 that a hearing will be held by the board of county commissioners,
6 including the day and the hour of the hearing, and that all persons
7 interested may appear and be heard at the hearing before the board.

8 (3) If, after such hearing, the board of county commissioners
9 determines that the interests of the people of the county will be advanced
10 by such an increase of the Gage park improvement authority sales tax, the
11 board shall adopt a resolution proposing the increase of the sales tax for
12 submission to the electors of the county as provided by subsection (c).
13 Such resolution shall become effective upon adoption by a majority of the
14 electors of the county.

15 (b) A petition requesting an incremental increase of the Gage park
16 improvement authority sales tax by one or more increments of 0.05%, for
17 the sole purpose of funding the acquisition, construction, improvement,
18 equipment, operation, support, maintenance and development of eligible
19 recreational facilities within the county may be presented to the board of
20 county commissioners. The petition shall be signed by not less than the
21 number of qualified electors of Shawnee county that is equal to 5% of the
22 electors of such county who voted at the last preceding regular county
23 election. The petition shall be filed with the Shawnee county election
24 office at least 60 days prior to the date of an election in an even-numbered
25 year. Upon receipt of such petition, the board of county commissioners
26 shall cause an election to be held as provided by subsection (c). Such
27 petition shall become effective upon submission to and adoption by a
28 majority of the electors of the county.

29 (c) If, at the conclusion of a public hearing, the board of county
30 commissioners adopts a resolution as provided in subsection (a), or the
31 board is presented with a petition with the required number of signatures
32 of qualified electors as provided in subsection (b), the board shall direct
33 the county clerk to submit a proposition to adopt the increase in the sales
34 tax to the qualified electors within the county. Such election shall be held
35 in an even-numbered year. Notice of such election shall be published on
36 the county website and at least once per week for two consecutive weeks
37 in the official county newspaper. The second notice shall be published at
38 least seven days prior to the date of such election. Any such election shall
39 be called and held at any general election, as defined in K.S.A. 25-2502,
40 and amendments thereto, or at a special election called for such purpose.
41 ~~In lieu thereof, such election may be called and held in the manner~~
42 ~~provided by K.S.A. 25-431 et seq., and amendments thereto.~~

43 (d) The proposition presented to the electors shall be in substantially

1 the following form:

2 "Shall the countywide sales tax for the Gage Park Improvement
3 Authority be increased from _____ to _____ (insert rate, not to be
4 more than 0.5%) to benefit Gage Park, the Topeka Zoo and Kansas
5 Children's Discovery Center?"

6 The board of county commissioners may place additional language on
7 the ballot to describe the use or allocation of the funds in a manner
8 consistent with this act.

9 (e) If the proposition is approved by a majority of the voters of the
10 county voting at such election, the Gage park improvement authority sales
11 tax shall be increased to the rate set forth in the proposition and shall be
12 collected and distributed to the Gage park improvement authority as
13 provided by K.S.A. 12-6004, and amendments thereto. Such increase shall
14 be in effect as of the first day of the year following the election. The board
15 of county commissioners may proceed with the performance of all things
16 necessary and incidental to the increase of the sales tax.

17 (f) If the majority of the electors of the county reject the proposition,
18 any subsequent resolution by the county board adopted pursuant to
19 subsection (a), or a petition presented to the board pursuant to subsection
20 (b), may be resubmitted to the electors after one year from the date of the
21 last election on any such proposition.

22 Sec. 14. K.S.A. 13-13a38 is hereby amended to read as follows: 13-
23 13a38. (a) The board of regents of Washburn University of Topeka may
24 adopt a resolution imposing a countywide retailers' sales tax within
25 Shawnee county. Such resolution shall be published once each week for
26 two consecutive weeks in the Shawnee county official newspaper. The rate
27 of any such tax shall not exceed 0.65%. Such university is prohibited from
28 administering or collecting such tax locally, but shall utilize the services of
29 the state department of revenue to administer, enforce and collect such tax.
30 Except as otherwise provided by K.S.A. 13-13a39, and amendments
31 thereto, such tax shall be identical in its application and exemptions
32 therefrom to the Kansas retailers' sales tax act, and all laws and rules and
33 regulations of the state department of revenue relating to the Kansas
34 retailers' sales tax act shall apply to such tax insofar as the same may be
35 made applicable.

36 (b) The secretary of revenue is authorized to administer, enforce and
37 collect the university's retailers' sales tax and to adopt such rules and
38 regulations necessary for the efficient and effective administration,
39 enforcement and collection thereof. The state director of taxation shall
40 cause such taxes to be collected within the boundaries of Shawnee county
41 at the same time and in the same manner provided for the collection of the
42 state retailers' sales tax. All moneys collected by the director of taxation
43 pursuant to the provisions of this section shall be remitted to the state

1 treasurer in accordance with the provisions of K.S.A. 75-4215, and
2 amendments thereto. Upon receipt of each such remittance, the state
3 treasurer shall deposit the entire amount in the state treasury to the credit
4 of the Washburn University of Topeka retailers' sales tax fund, which fund
5 is hereby established in the state treasury. Any refund due on any tax
6 collected pursuant to this section shall be paid out of the sales tax refund
7 fund and reimbursement to such fund shall be made by the director of
8 taxation from collections of the university's sales tax revenue. All moneys
9 collected pursuant to this section for such university shall be remitted at
10 least quarterly by the state treasurer to the treasurer of such university.

11 (c) All revenue received by Washburn University of Topeka from its
12 retailers' sales tax shall be used solely for the purpose of financing its
13 operations regarding all support activities described by K.S.A. 13-13a18,
14 and amendments thereto.

15 (d) If within 30 days of the final publication of a resolution adopted
16 pursuant to subsection (a), a petition signed by a number of electors of the
17 county equal to not less than 5% of the number of qualified electors of the
18 county shall be filed in the office of the county election officer demanding
19 that such resolution be submitted to a vote of the electors, it shall not take
20 effect until submitted to a referendum and approved by the electors. An
21 election if called, shall be called within 30 days and held within 45 days
22 after the filing of the petition. The board, by resolution, shall call the
23 election and fix the date. Such resolution shall be published once each
24 week for two consecutive weeks in the official county newspaper, and the
25 election shall be conducted in the same manner as are elections for officers
26 of such county. ~~Such election may be conducted in accordance with the~~
27 ~~provisions of the mail ballot election act.~~ The proposition shall be: "Shall
28 Washburn University of Topeka be authorized to impose a countywide
29 sales tax not to exceed 0.65% in Shawnee county for purposes of
30 eliminating 15 mills of ad valorem property taxes now levied by the
31 university and eliminating the payment of out-district tuition by the
32 townships within Shawnee county to the university?"

33 (e) The provisions of K.S.A. 12-191 and 12-191a, and amendments
34 thereto, insofar as may be made applicable, shall apply to sales subject to
35 the tax imposed pursuant to this section.

36 Sec. 15. K.S.A. 2025 Supp. 25-1122 is hereby amended to read as
37 follows: 25-1122. (a) Any registered voter may file with the county
38 election officer where such person is a resident, or where such person is
39 authorized by law to vote as a former precinct resident, an application for
40 an advance voting ballot. The signed application shall be transmitted only
41 to the county election officer by personal delivery, mail, facsimile or as
42 otherwise provided by law.

43 (b) If the registered voter is applying for an advance voting ballot to

1 be transmitted in person, the voter shall provide identification pursuant to
2 K.S.A. 25-2908, and amendments thereto.

3 (c) If the registered voter is applying for an advance voting ballot to
4 be transmitted by mail, the voter shall provide with the application for an
5 advance voting ballot the voter's current and valid Kansas driver's license
6 number, nondriver's identification card number or a photocopy of any
7 other identification provided by K.S.A. 25-2908, and amendments thereto.

8 (d) A voter may vote a provisional ballot according to K.S.A. 25-409,
9 and amendments thereto, if:

10 (1) The voter is unable or refuses to provide current and valid
11 identification; or

12 (2) the name and address of the voter provided on the application for
13 an advance voting ballot do not match the voter's name and address on the
14 registration book. The voter shall provide a valid form of identification as
15 defined in K.S.A. 25-2908, and amendments thereto, to the county election
16 officer in person or provide a copy by mail or electronic means before the
17 meeting of the county board of canvassers. At the meeting of the county
18 board of canvassers the county election officer shall present copies of
19 identification received from provisional voters and the corresponding
20 provisional ballots. If the county board of canvassers determines that a
21 voter's identification is valid and the provisional ballot was properly cast,
22 the ballot shall be counted.

23 (e) No county election officer shall provide an advance voting ballot
24 to a person who is requesting an advance voting ballot to be transmitted by
25 mail unless:

26 (1) The county election official verifies that the signature of the
27 person matches that on file in the county voter registration records, except
28 that verification of the voter's signature shall not be required if a voter has
29 a disability preventing the voter from signing. Signature verification may
30 occur by electronic device or by human inspection. In the event that the
31 signature of a person who is requesting an advance voting ballot does not
32 match that on file, the county election officer shall attempt to contact the
33 person and shall offer the person another opportunity to provide the
34 person's signature for the purposes of verifying the person's identity. If the
35 county election officer is unable to reach the person, the county election
36 officer may transmit a provisional ballot, however, such provisional ballot
37 may not be counted unless a signature is included therewith that can be
38 verified; and

39 (2) the person provides such person's full Kansas driver's license
40 number, Kansas nondriver's identification card number issued by the
41 division of vehicles, or submits such person's application for an advance
42 voting ballot and a copy of identification provided by K.S.A. 25-2908, and
43 amendments thereto, to the county election officer for verification. If a

1 person applies for an advance voting ballot to be transmitted by mail but
2 fails to provide identification pursuant to this subsection or the
3 identification of the person cannot be verified by the county election
4 officer, the county election officer shall provide information to the person
5 regarding the voter rights provisions of subsection (d) and shall provide
6 the person an opportunity to provide identification pursuant to this
7 subsection. For the purposes of this act, Kansas state offices and offices of
8 any subdivision of the state will allow any person seeking to vote by an
9 advance voting ballot the use of a photocopying device to make one
10 photocopy of an identification document at no cost.

11 (f) (1) Applications for advance voting ballots to be transmitted to the
12 voter by mail shall be filed only at the following times:

13 (A) For the primary election occurring on the first Tuesday in August
14 in both even-numbered and odd-numbered years, between April 1 of such
15 year and the Tuesday of the week preceding such primary election;

16 (B) for the general election occurring on the Tuesday following the
17 first Monday in November in both even-numbered and odd-numbered
18 years, between 90 days prior to such election and the Tuesday of the week
19 preceding such general election;

20 (C) for the presidential preference primary election held pursuant to
21 K.S.A. 25-4501a, and amendments thereto, between January 1 of the year
22 in which such election is held and 30 days prior to the day of such
23 election;

24 (D) for question submitted elections occurring on the date of a
25 primary or general election, the same as is provided for ballots for election
26 of officers at such election;

27 (E) for question submitted elections not occurring on the date of a
28 primary or general election, between the time of the first published notice
29 thereof and the Tuesday of the week preceding such question submitted
30 election, except that if the question submitted election is held on a day
31 other than a Tuesday, the final date for mailing of advance voting ballots
32 shall be one week before such election; and

33 (F) for any special election of officers, at such time as is specified by
34 the secretary of state.

35 (2) The county election officer of any county may receive
36 applications prior to the time specified in this subsection and hold such
37 applications until the beginning of the prescribed application period. Such
38 applications shall be treated as filed on that date.

39 (g) (1) Unless an earlier date is designated by the county election
40 office, applications for advance voting ballots transmitted to the voter in
41 person shall be filed on the Tuesday next preceding the election and on
42 each subsequent business day until no later than 12:00 noon on the day
43 preceding such election. If the county election officer so provides,

1 applications for advance voting ballots transmitted to the voter in person in
2 the office of the county election officer also may be filed on the Saturday
3 preceding the election. Upon receipt of any such properly executed
4 application, the county election officer shall deliver to the voter such
5 ballots and instructions as are provided for in this act.

6 (2) An application for an advance voting ballot filed by a voter who
7 has a temporary illness or disability or who is not proficient in reading the
8 English language or by a person rendering assistance to such voter may be
9 filed during the regular advance ballot application periods until the close
10 of the polls on election day.

11 (3) The county election officer may designate places other than the
12 central county election office as satellite advance voting sites. At any
13 satellite advance voting site, a registered voter may obtain an application
14 for advance voting ballots. Ballots and instructions shall be delivered to
15 the voter in the same manner and subject to the same limitations as
16 otherwise provided by this subsection.

17 (h) Any person having a permanent disability or an illness that has
18 been diagnosed as a permanent illness is hereby authorized to make an
19 application for permanent advance voting status. Applications for
20 permanent advance voting status shall be in the form and contain such
21 information as is required for application for advance voting ballots and
22 also shall contain information that establishes the voter's right to
23 permanent advance voting status.

24 (i) On receipt of any application filed under the provisions of this
25 section, the county election officer shall prepare and maintain in such
26 officer's office a list of the names of all persons who have filed such
27 applications, together with their correct post office address and the
28 precinct, ward, township or voting area in which the persons claim to be
29 registered voters or to be authorized by law to vote as former precinct
30 residents and the present resident address of each applicant. Names and
31 addresses shall remain so listed until the day of such election. The county
32 election officer shall maintain a separate listing of the names and addresses
33 of persons qualifying for permanent advance voting status. All such lists
34 shall be available for inspection upon request in compliance with this
35 subsection by any registered voter during regular business hours. The
36 county election officer upon receipt of the applications shall enter upon a
37 record kept by such officer the name and address of each applicant, which
38 record shall conform to the list above required. Before inspection of any
39 advance voting ballot application list, the person desiring to make the
40 inspection shall provide to the county election officer identification in the
41 form of driver's license or other reliable identification and shall sign a log
42 book or application form maintained by the officer stating the person's
43 name and address and showing the date and time of inspection. All records

1 made by the county election officer shall be subject to public inspection,
2 except that the voter identification information required by subsections (b)
3 and (c) and the identifying number on ballots and ballot envelopes and
4 records of such numbers shall not be made public.

5 (j) If a person on the permanent advance voting list fails to vote in
6 four consecutive general elections, the county election officer may mail a
7 notice to such voter. The notice shall inform the voter that the voter's name
8 will be removed from the permanent advance voting list unless the voter
9 renews the application for permanent advance voting status within 30 days
10 after the notice is mailed. If the voter fails to renew such application, the
11 county election officer shall remove the voter's name from the permanent
12 advance voting list. Failure to renew the application for permanent
13 advance voting status shall not result in removal of the voter's name from
14 the voter registration list.

15 (k) (1) Any person who solicits by mail a registered voter to file an
16 application for an advance voting ballot and includes an application for an
17 advance voting ballot in such mailing shall include on a page in such
18 mailing a clear and conspicuous label in 10-point font or larger that
19 includes:

20 (A) The name of the individual or organization that caused such
21 solicitation to be mailed;

22 (B) the address of such individual or organization; and

23 (C) the following statement: "Disclosure: This is not a government
24 mailing. It is from a private individual or organization."

25 (2) The application for an advance voting ballot included in such
26 mailing shall be the official application for advance ballot by mail
27 provided by the secretary of state or the appropriate county election office.
28 No portion of such application shall be completed prior to mailing such
29 application to the registered voter, except that the date of the election may
30 be printed on the application.

31 (3) An application for an advance voting ballot shall include
32 information on how to mail such application to the appropriate county
33 election office. In no case shall the person who mails the application to the
34 voter direct that the completed application be returned to such person.

35 (4) The provisions of this subsection shall not apply to:

36 (A) The secretary of state or any election official or county election
37 office; or

38 (B) the official protection and advocacy for voting access agency for
39 this state as designated pursuant to the federal help America vote act of
40 2002, public law 107-252, or any other entity required to provide
41 information concerning elections and voting procedures by federal law.

42 (5) A violation of this subsection is a class C nonperson
43 misdemeanor.

1 (1) (1) No person shall mail or cause to be mailed an application for
2 an advance voting ballot, unless such person is a resident of this state or is
3 otherwise domiciled in this state.

4 (2) Any individual may file a complaint in writing with the attorney
5 general alleging a violation of this subsection. Such complaint shall
6 include the name of the person alleged to have violated this subsection and
7 any other information as required by the attorney general. Upon receipt of
8 a complaint, the attorney general shall investigate and may file an action
9 against any person found to have violated this subsection.

10 (3) Any person who violates the provisions of this subsection is
11 subject to a civil penalty of \$20. Each instance in which a person mails an
12 application for an advance voting ballot in violation of this section shall
13 constitute a separate violation.

14 (m) A county election officer shall not mail a ballot to a voter unless
15 such voter has submitted an application for an advance voting ballot,
16 except that a ballot may be mailed to a voter if such voter has permanent
17 advance voting ballot status pursuant to subsection (h) ~~or if the election is~~
18 ~~conducted pursuant to the mail ballot election act, K.S.A. 25-431 et seq.,~~
19 ~~and amendments thereto.~~

20 (n) The secretary of state may adopt rules and regulations in order to
21 implement the provisions of this section and to define valid forms of
22 identification.

23 Sec. 16. K.S.A. 25-2709 is hereby amended to read as follows: 25-
24 2709. The following election records may be destroyed after they have
25 been on file for the period stated:

26 (1) Appointments and oaths of office of election board members, two
27 years.

28 (2) Registration lists, five years.

29 (3) Poll books, five years.

30 (4) Party affiliation lists, five years.

31 (5) Abstracts of voting records, 20 years.

32 (6) Affidavits required to be filed by the election laws of the state of
33 Kansas, including advance voting ~~and mail ballot~~ envelopes containing
34 voters' declarations, two years.

35 (7) All other election records used at polling places, two years.

36 (8) Declination forms maintained by voter registration agencies and
37 the division of motor vehicles, two years.

38 (9) Confirmation notices, two years.

39 (10) Confirmation responses, two years.

40 Sec. 17. K.S.A. 2025 Supp. 25-2812 is hereby amended to read as
41 follows: 25-2812. (a) Not less than 60 days before any election, the county
42 election officer may contact the administrator or operator at each nursing
43 facility, assisted living facility and hospital-based long-term care unit to

1 request that the registered voters in such facility be offered the opportunity
2 to vote in such election according to the procedures outlined in this
3 section. If the administrator or operator of the facility agrees, the county
4 election officer and the administrator or operator shall establish a date,
5 mutually agreed upon, for such voting to take place. ~~The provisions of this~~
6 ~~section shall not apply to mail ballot elections conducted pursuant to~~
7 ~~K.S.A. 25-431 et seq., and amendments thereto.~~

8 (b) The county election officer shall appoint a special election board
9 of two or more members to administer ballots to registered voters who are
10 residents of any facility designated in subsection (a) and that has agreed to
11 participate. The members of such special election board shall be appointed
12 and trained by the county election officer in the same manner as members
13 of election boards serving in polling places on election day. The members
14 of a special election board shall possess the qualifications of registered
15 voters in Kansas and in the county where such members serve and shall
16 subscribe the oath prescribed by law. The members of the board shall not
17 all be affiliated with the same political party, to the extent practicable, and
18 shall not be candidates for any offices, other than the offices of precinct
19 committeemen or precinct committeewomen, to be elected in the election
20 at which such members serve.

21 (c) The special election board shall, to the extent practicable, follow
22 advance voting procedures as provided for by law. All persons who are
23 registered voters of the county and who are current residents of the facility
24 may request a ballot from the special election board. In the case of a voter
25 who has applied for and received permanent advance voting status
26 pursuant to K.S.A. 25-1122(h), and amendments thereto, the special
27 election board may deliver such voter's ballot to the voter instead of
28 mailing the ballot as required by K.S.A. 25-1123, and amendments thereto.
29 Any voter may receive assistance from a member of the special board or
30 from a person of such voter's choice. Any person rendering assistance to a
31 voter shall sign a written statement as provided for in K.S.A. 25-1124(e),
32 and amendments thereto, and shall file such statement with the special
33 board or with the county election officer.

34 (d) The special election board shall ensure that the privacy of each
35 voter is preserved and shall cause each voter's ballot to be sealed in an
36 envelope or deposited in a locked ballot box. In cases where electronic or
37 electromechanical voting systems are used, the special election board shall
38 ensure that the voting equipment is secured from tampering and
39 unauthorized access. At the conclusion of the voting process at a facility,
40 the ballots, voting equipment, voting records and materials shall be
41 returned to the county election officer. All the members of the special
42 election board shall certify the receipt and return of the ballots, voting
43 equipment, voting records and materials.

1 (e) The county election officer shall ensure that the ballots received
2 from any such special election board shall be tabulated according to
3 procedures established by law for the tabulation of advance voting ballots
4 and shall ensure that the tabulated returns are included with other official
5 election returns and presented to the county board of canvassers for the
6 canvass as provided by law. Any ballot cast by a voter pursuant to this
7 section may be challenged in the same manner as other ballots are
8 challenged.

9 (f) The county election officer shall ensure that mobile voting sites
10 established under this act are clearly posted as such during the hours
11 voting is allowed.

12 (g) (1) For the purposes of this section, the term:

13 (A) "Assisted living facility" means the same as defined in K.S.A. 39-
14 923, and amendments thereto.

15 (B) "Hospital-based long-term care unit" means a unit that provides
16 physician services and continuous nursing supervision for patients who:

17 (i) Are not in an acute phase of illness; and

18 (ii) currently require nursing care that is primarily of a convalescent,
19 restorative or long-term nature. Long-term care unit also includes
20 medicare-certified, distinct-part long-term care units.

21 (C) "Nursing facility" means the same as defined in K.S.A. 39-923,
22 and amendments thereto.

23 Sec. 18. K.S.A. 2025 Supp. 25-3002 is hereby amended to read as
24 follows: 25-3002. (a) The rules prescribed in this section shall apply to:

25 (1) The original canvass by election boards.

26 (2) Intermediate and final canvasses by county boards of canvassers.

27 (3) Final canvass by the state board of canvassers.

28 (4) All election contests.

29 (5) All other officers canvassing or having a part in the canvass of
30 any election.

31 (b) The following shall be rules for canvassers:

32 (1) No ballot, or any portion thereof, shall be invalidated by any
33 technical error unless it is impossible to determine the voter's intention.
34 Determination of the voter's intention shall rest in the discretion of the
35 board canvassing in the case of a canvass and in the election court in the
36 case of an election contest.

37 (2) The occurrences listed in this paragraph shall not invalidate the
38 whole ballot but shall invalidate that portion, and that portion only, in
39 which the occurrence appears. The votes on such portion of the ballot shall
40 not be counted for any candidate listed or written in such portion, but the
41 remainder of the votes in other portions of the ballot shall be counted. The
42 occurrences to which this paragraph shall apply are:

43 (A) Whenever a voting mark shall be made in the square at the left of

1 the name of more than one candidate for the same office, except when the
2 ballot instructs that more than one candidate is to be voted; and

3 (B) whenever a voting mark is placed in the square at the left of a
4 space where no candidate is listed.

5 (3) When a registered voter has cast a provisional ballot intended for
6 a precinct other than the precinct in which the voter resides but located
7 within the same county, the canvassers shall count the votes for those
8 offices or issues that are identical in both precincts. The canvassers shall
9 not count the votes for those offices or issues that differ from the offices or
10 issues appearing on the ballot used in the precinct in which the voter
11 resides.

12 (4) A write-in vote for those candidates for the offices of governor
13 and lieutenant governor shall not be counted unless the pair of candidates
14 have filed an affidavit of candidacy pursuant to K.S.A. 25-305, and
15 amendments thereto, and:

16 (A) Both candidates' names are written on the ballot; or

17 (B) only the name of the candidate for governor is written on the
18 ballot.

19 (5) A write-in vote for those candidates for the offices of president
20 and vice-president shall not be counted unless the pair of candidates have
21 filed an affidavit of candidacy pursuant to K.S.A. 25-305, and amendments
22 thereto, and:

23 (A) Both candidates' names are written on the ballot; or

24 (B) only the name of the candidate for president is written on the
25 ballot.

26 (6) A write-in vote for candidates for the offices of United States
27 senator and United States house of representatives shall not be counted
28 unless the candidate has filed an affidavit of candidacy pursuant to K.S.A.
29 25-305, and amendments thereto.

30 (7) A write-in vote for candidates for state offices elected on a
31 statewide basis other than offices subject to paragraph (4), the state house
32 of representatives, state senate, state board of education, district judges,
33 district magistrate judges, district attorneys, any county officer or any city
34 officer of a city of the first class shall not be counted unless the candidate
35 has filed an affidavit of candidacy pursuant to K.S.A. 25-305, and
36 amendments thereto.

37 (8) Any advance voting ~~or mail~~ ballot whose envelope containing the
38 voter's written declaration is unsigned; shall be wholly void, and no vote
39 thereon shall be counted.

40 (9) No ballot cast shall be counted if the voter fails to provide valid
41 identification as defined by K.S.A. 25-2908, and amendments thereto.

42 (10) When a registered voter who is unaffiliated with a political party
43 has cast a provisional partisan ballot in a primary election, the canvassers

1 shall count the votes for those offices or issues for which an unaffiliated
2 voter may cast a vote. The canvassers shall not count the votes for those
3 offices for which only a voter who is affiliated with a political party may
4 cast a vote.

5 Sec. 19. K.S.A. 42-706 is hereby amended to read as follows: 42-706.

6 (a) The officers of such district shall be a board of directors consisting of
7 three members who shall be persons entitled to vote as provided in
8 subsection (g) and residents of a county in which the district or a portion
9 thereof is located, or county adjoining a county in which such irrigation
10 district or a portion thereof is located. Such members shall hold office for a
11 period of two or four years, such term of office being established by the
12 board of directors by passage of a resolution, and each shall serve until a
13 successor has been elected and qualified. The members of the board of
14 directors first elected after the creation of an irrigation district shall hold
15 their respective offices until the next regular election for the election of
16 directors as provided in subsection (e) or (f) of this section except that the
17 terms of the three directors shall be as provided in subsection (e) of this
18 section.

19 (b) The chief engineer of the division of water resources, after the
20 incorporation of such irrigation district, shall establish and designate the
21 polling place or places therein where the first election will be conducted
22 and fix the time for such election within 60 days after the date of
23 incorporation. In any irrigation district of more than 35,000 acres, the chief
24 engineer of the division of water resources shall, prior to designating
25 polling places, establish three voting areas within such district as equal as
26 possible in acreage and shall designate the same as the first, second or
27 third voting area. Such polling place or places may thereafter be changed
28 by the board of directors, and the board may arrange for polling places
29 outside the corporate boundaries of the district if such places are more
30 convenient than locations within the district. Prior to the holding of the
31 first election in newly created districts, the chief engineer of the division of
32 water resources shall appoint from the qualified electors of the district
33 three persons for such election for each voting place who shall constitute
34 boards of election for such district for such election. If the members
35 appointed do not attend at the opening of the polls on the day of election,
36 at the opening hour, the electors present at that hour shall elect from the
37 electors present members of the election board necessary to fill the place
38 of any absent member.

39 (c) The board of directors of every district of more than 35,000 acres
40 ~~which~~ *that* was incorporated prior to the effective date of this act shall
41 establish three voting areas within the district as equal as possible in
42 acreage and designate the same as the first, second or third voting area.
43 The board shall also establish and designate the polling place or places

1 within each voting area. At the first election held after the effective date of
2 this act, a director shall be elected for the term length established by the
3 board.

4 (d)-(1) Except as provided in ~~paragraph (2)~~ *subsection (f)*, all
5 elections shall be conducted in accordance with the general election laws
6 of the state ~~except as otherwise provided in this act~~. Advance voting as
7 provided in article 11 of chapter 25 of the Kansas Statutes Annotated, and
8 amendments thereto, shall be provided for by the county election officers
9 and boards of directors for those persons entitled to vote under subsection
10 (g). The forms for the ballot envelope declaration as provided in K.S.A.
11 25-1120, and amendments thereto, and the applications for advance ballots
12 as provided in K.S.A. 25-1122d, and amendments thereto, shall be
13 modified to establish that such person is a qualified owner of irrigable land
14 within the district. After polls are closed the election boards shall proceed
15 to canvass the votes cast thereat, shall certify to the county election officer
16 of the county in which all or the greater part of the population of the
17 irrigation district is located and the chief engineer the result of such
18 election. The clerks shall then securely wrap the ballots cast at such
19 elections and shall express or mail the same by registered mail to the
20 county election officer of the county in which all or the greater part of the
21 population of the irrigation district is located. The county election officer
22 shall canvass the ballots, verify the results and declare the person receiving
23 the highest number of votes duly elected as director except that at the first
24 election after creation of a district the county election officer of the county
25 in which all or the greater part of the population of the irrigation district is
26 located shall declare the three persons receiving the highest number of
27 votes duly elected as directors except that in districts divided into three
28 voting areas, the person receiving the highest number of votes in each
29 voting area shall be duly elected as director. Such county election officer
30 shall immediately mail, to each person elected to the office of director a
31 certificate of election signed by such officer. The directors shall thereupon
32 qualify and enter upon the duties of their office. Directors shall qualify by
33 taking and subscribing to an oath of office of substantially the same tenor
34 as oath of office prescribed for county officials. Each member of the board
35 of directors shall execute an official bond in the sum of \$1,000 ~~which~~.
36 *Such* oath and bond shall be filed with the county election officer of the
37 county in which all or the greater part of the population of the irrigation
38 district is located. The treasurer of each irrigation district shall execute to
39 the district a corporate surety bond in an amount at least equal to 125% of
40 the amount, as near as can be ascertained, that shall be in such person's
41 hands as treasurer at any one time. The amount and sufficiency of the bond
42 of the treasurer shall be determined by the county election officer. Upon
43 approval of the bond, the county election officer shall endorse such

1 approval thereon and file the same in the office of the county election
2 officer and shall immediately notify the county treasurer of the county in
3 which the registered office of the irrigation district is located of such
4 approval and filing. In the event of the breach of any condition of the
5 treasurer's bond, the president and secretary of the board shall cause a suit
6 to be commenced thereon in the name of the irrigation district. It shall not
7 be necessary to include the treasurer as a party to the action and the money
8 collected shall be applied to the use of the district, as the same should have
9 been applied by the treasurer. Should the president and secretary neglect or
10 refuse to prosecute such a suit, then any person entitled to vote as provided
11 in subsection (g) may cause such suit to be instituted. Premiums on surety
12 bonds for such directors and treasurers of irrigation districts shall be paid
13 by the district out of its general funds. In case the office of any director
14 shall become vacant the remaining members of the board shall fill the
15 vacancy by appointment. A director appointed to fill a vacancy shall serve
16 the unexpired term of the director whose term such person was appointed
17 to fill.

18 ~~(2) For any election except the election required in subsection (b), the~~
19 ~~board of directors may adopt a procedure providing for the election of~~
20 ~~members by mail ballot. Such procedure shall require the board to mail~~
21 ~~ballots to all persons entitled to vote, to receive and tabulate the ballots, to~~
22 ~~canvass the election and to certify the results to the county election officer.~~
23 ~~The irrigation district shall be responsible for the direct expenses of~~
24 ~~conducting the election. The ballot envelope used for mailing ballots shall~~
25 ~~contain a declaration establishing that the person who signs the declaration~~
26 ~~is a qualified owner of irrigable land within the district.~~

27 (e) All regular elections of directors of irrigation districts shall be
28 held the Tuesday following the first Monday in November in odd-
29 numbered years. Any districts organized after the regular election shall
30 hold its election at the next regular election following incorporation of the
31 district and, at this election three directors shall be elected and the person
32 receiving the highest number of votes shall serve for a term of four years,
33 the persons receiving the second and third highest number of votes shall
34 serve for a term of two years. In case the first election after creation of a
35 district is held between June 1 of any year and the day preceding the
36 Tuesday following the first Monday in November of the next succeeding
37 odd-numbered year, the next regular election shall be held in the second
38 succeeding odd-numbered year. At each subsequent regular election, only
39 one director shall be elected each year for a term of four years. Any person
40 desiring to be a candidate for election to the board of directors shall file a
41 candidate's declaration of intention with the county election officer of the
42 county in which all or the greater part of the population of the district is
43 located. Such candidate's filing shall utilize the procedures provided in

1 K.S.A. 25-205 and 25-21a03, and amendments thereto, ~~and K.S.A. 25-~~
2 ~~205, and amendments thereto.~~ The county election officer shall prepare the
3 ballot, and place the names thereon in alphabetical order and shall supply
4 election officials with necessary ballots and polling books at the irrigation
5 district's expense. At least five days before any election, the county clerks
6 of the various counties within which a portion of the district is located,
7 shall cause to be ascertained the names of all persons entitled to vote as
8 provided in subsection (g) and shall furnish lists thereof to each election
9 board within such county and to the secretary of the board of directors of
10 the district. Notice of the time and places of holding of the general
11 election, shall be published by the county election officer in a newspaper
12 of general circulation in the district in accordance with K.S.A. 25-105, and
13 amendments thereto. The results of all special or bond elections shall be
14 made available to the secretary of the district. All expenses of election, not
15 otherwise provided for herein, shall be paid for out of the general funds of
16 the irrigation district. Election officials shall receive the same
17 compensation as provided under general election laws.

18 (f) In lieu of the election procedures provided in this section
19 pertaining to regular elections of directors in accordance with the general
20 election laws of the state, the board of directors of any irrigation district of
21 less than 35,000 acres in size may call an annual meeting of all persons
22 entitled to vote as provided in subsection (g) for the purpose of electing
23 directors. Such annual meeting shall be held on the first Tuesday in March.
24 Notice of the time and place of holding said annual meeting shall be given
25 in some newspaper or newspapers of general circulation in the district for
26 one issue at least 30 days prior to date of such meeting. Elections at the
27 annual meeting shall be by ballot, with absentee voting as provided under
28 subsection (d) ~~of this section~~. All persons desiring to be voted upon as
29 director shall at least 30 days before the day of holding the annual meeting
30 file such person's name with the secretary of the board of directors of the
31 district, affixed to a statement that such person desires such person's name
32 to be placed on the ballot as a candidate for member of board of directors
33 of the district. The board of directors shall appoint three owners of
34 irrigable land in the district to serve as an election board at the annual
35 meeting. After the votes are cast at the annual meeting the election board
36 shall proceed to canvass the votes and shall certify to the county election
37 officer of the county in which all or the greater part of the population of
38 the irrigation district is located and the chief engineer the result of such
39 election. All provisions of this section not inconsistent with the provisions
40 of *this* subsection ~~(f)~~ shall apply to the election of directors at the annual
41 meeting.

42 (g) (1) Until such time as assessments are made in the district
43 pursuant to K.S.A. 42-715, and amendments thereto, those persons entitled

1 to vote shall be "qualified owners of land" within the irrigation district, as
2 such term is defined in K.S.A. 42-701, and amendments thereto, and who
3 are otherwise qualified electors.

4 (2) After lands have been assessed in the district pursuant to K.S.A.
5 42-715, and amendments thereto, those persons entitled to vote shall be
6 "qualified owners of land" within the irrigation district as such term is
7 defined in K.S.A. 42-701, and amendments thereto, ~~which~~ *that* has been
8 assessed pursuant to K.S.A. 42-715, and amendments thereto, and who are
9 otherwise qualified electors.

10 (3) For voting purposes, any person entitled to vote under this
11 subsection who owns land in more than one voting area shall vote in the
12 voting area ~~which~~ *that* includes the greatest portion of such person's land.
13 As used in this section, the term "qualified electors" ~~shall include~~ *includes*
14 a person who is the legal qualified owner of irrigable land or a person, who
15 is authorized, in writing, to vote for a trust, corporation, association or
16 partnership ~~which~~ *that* is the legal qualified owner of irrigable land. Such
17 person is not required to be a resident of the district. Such trust,
18 corporation, association or partnership shall be allowed only one vote. The
19 person authorized by such entity to vote shall be someone who is not
20 otherwise entitled to a vote under this section.

21 Sec. 20. K.S.A. 72-9939 is hereby amended to read as follows: 72-
22 9939. (a) Each member district of unified school district No. 512, Johnson
23 county, Kansas may have a five-member advisory board. The member of
24 the board of education elected from each member district shall be a
25 member and chairperson of the advisory board for such member's district.
26 The four members of the advisory board other than the chairperson shall
27 be elected during the month of May of each even-numbered year at a
28 meeting of school patrons of that member district called for the purpose by
29 the board of education, and shall serve for a term of two years. Absentee
30 ballots may be cast at any election of advisory board members in the
31 manner and under the conditions prescribed by the board of education. If a
32 vacancy shall occur on any advisory board, the board of education shall
33 appoint a person to fill such vacancy for the unexpired term.

34 (b) The advisory board of each member district shall serve to provide
35 liaison between the citizens of the member district and the board of
36 education of the unified school district. Each advisory board shall be
37 responsible to make recommendations to the board of education on all
38 matters relating to education including, but without excluding others, the
39 following subject areas: (1) Personnel of the school district; (2) curricula;
40 (3) budget; and (4) budget allocation. On or before December 1 of each
41 year, each advisory board shall adopt its recommendations with respect to
42 curricula and shall submit the same to the board of education of the unified
43 school district. On or before February 1 of each year, each advisory board

1 shall make its recommendations on personnel and submit the same to such
2 board of education. Each advisory board shall meet at least monthly at a
3 time and place determined by it, and such time and place shall be specified
4 in a publication notice thereof at least one time each year in a newspaper
5 having general circulation in the member district. Such publications shall
6 not be required to be in the form of a legal publication, and such
7 publication may be made in a paper not authorized to make legal
8 publications in such unified school district.

9 (c) The board of education may adopt a resolution exempting the
10 school district from the requirements of subsections (a) and (b). The
11 resolution shall be published once each week for two consecutive weeks in
12 a newspaper of general circulation in the school district. If, within 30 days
13 after the last publication, a petition signed by not less than 5% of the
14 qualified electors in the school district is filed in the office of the county
15 election officer requesting an election thereon, the school district shall
16 remain subject to the provisions of subsections (a) and (b) unless the
17 question is submitted to and approved by a majority of the voters of the
18 school district voting at an election called by the governing body. Such
19 election shall be called and held in the manner provided under the
20 provisions of K.S.A. 10-120, and amendments thereto. ~~Such election also~~
21 ~~may be conducted by mail ballot.~~

22 Sec. 21. K.S.A. 2025 Supp. 79-2925c is hereby amended to read as
23 follows: 79-2925c. (a) (1) On and after January 1, 2017, and prior to
24 January 1, 2021, the governing body of any city or county shall not
25 approve any appropriation or budget ~~which~~ that provides for funding by
26 property tax revenues in an amount exceeding that of the next preceding
27 year as adjusted to reflect the average changes in the consumer price index
28 for all urban consumers as published by the United States department of
29 labor for the preceding five calendar years, which shall not be less than
30 zero, unless the city or county approves the appropriation or budget with
31 the adoption of a resolution and such resolution has been submitted to and
32 approved by a majority of the qualified electors of the city or county
33 voting at an election called and held thereon, except as otherwise provided.

34 (2) The election shall be called and held in the manner provided by
35 K.S.A. 10-120, and amendments thereto, and may be:

36 (A) Held at the next regularly scheduled election ~~to be held~~ in August
37 or November; *or*

38 (B) ~~may be a mail ballot election, conducted in accordance with~~
39 ~~K.S.A. 25-431 et seq., and amendments thereto; or~~

40 (C) ~~may be a special election called by the city or county.~~

41 (3) Nothing in this subsection shall prevent any city or county from
42 holding more than one election in any year. The city or county requesting
43 the election shall be responsible for paying all costs associated with

1 conducting the election.

2 (b) A resolution by the governing body of a city or county otherwise
3 required by the provisions of this section shall not be required to be
4 approved by an election required by subsection (a) under the following
5 circumstances:

6 (1) Increased property tax revenues that, in the current year, are
7 produced and attributable to the taxation of:

8 (A) The construction of any new structures or improvements or the
9 remodeling or renovation of any existing structures or improvements on
10 real property, which shall not include any ordinary maintenance or repair
11 of any existing structures or improvements on the property;

12 (B) increased personal property valuation;

13 (C) real property located within added jurisdictional territory;

14 (D) real property ~~which~~ *that* has changed in use;

15 (E) expiration of any abatement of property from property tax; or

16 (F) expiration of a tax increment financing district, rural housing
17 incentive district, neighborhood revitalization area or any other similar
18 property tax rebate or redirection program.

19 (2) Increased property tax revenues that will be spent on:

20 (A) Bond, temporary notes, no fund warrants, state infrastructure
21 loans and interest payments not exceeding the amount of ad valorem
22 property taxes levied in support of such payments, and payments made to a
23 public building commission and lease payments but only to the extent such
24 payments were obligations that existed prior to July 1, 2016;

25 (B) payment of special assessments not exceeding the amount of ad
26 valorem property taxes levied in support of such payments;

27 (C) court judgments or settlements of legal actions against the city or
28 county and legal costs directly related to such judgments or settlements;

29 (D) expenditures of city or county funds that are specifically
30 mandated by federal or state law with such mandates becoming effective
31 on or after July 1, 2015, and loss of funds from federal sources after
32 January 1, 2017, where the city or county is contractually obligated to
33 provide a service;

34 (E) expenses relating to a federal, state or local disaster or federal,
35 state or local emergency, including, but not limited to, a financial
36 emergency, declared by a federal or state official. The board of county
37 commissioners may request the governor to declare such disaster or
38 emergency; or

39 (F) increased costs above the consumer price index for law
40 enforcement, fire protection or emergency medical services.

41 (3) Any increased property tax revenues generated for law
42 enforcement, fire protection or emergency medical services shall be
43 expended exclusively for these purposes but shall not be used for the

1 construction or remodeling of buildings.

2 (4) The property tax revenues levied by the city or county have
3 declined:

4 (A) In one or more of the next preceding three calendar years and the
5 increase in the amount of funding for the budget or appropriation from
6 revenue produced from property taxes does not exceed the average amount
7 of funding from such revenue of the next preceding three calendar years,
8 adjusted to reflect changes in the consumer price index for all urban
9 consumers as published by the United States department of labor for the
10 preceding calendar year; or

11 (B) the increase in the amount of ad valorem tax to be levied is less
12 than the change in the consumer price index plus the loss of assessed
13 property valuation that has occurred as the result of legislative action,
14 judicial action or a ruling by the board of tax appeals.

15 (5) Whenever a city or county is required by law to levy taxes for the
16 financing of the budget of any political or governmental subdivision of this
17 state that is not authorized by law to levy taxes on its own behalf, and the
18 governing body of such city or county is not authorized or empowered to
19 modify or reduce the amount of taxes levied therefore, the tax levies of the
20 political or governmental subdivision shall not be included in or
21 considered in computing the aggregate limitation upon the property tax
22 levies of the city or county.

23 (6) Any tax levy increase as a result of another taxing entity being
24 dissolved and all powers, responsibilities, duties and liabilities of the
25 taxing entity have been transferred to a city located in the county in which
26 the taxing entity is located, or to the county in which the taxing entity is
27 located, to carry on the function and responsibilities of the dissolved
28 taxing entity, so long as the levy increase does not exceed the levy of the
29 dissolved taxing entity.

30 Sec. 22. K.S.A. 82a-626 is hereby amended to read as follows: 82a-
31 626. (a) The term of office of every member elected to an original board
32 shall be until the date of the annual meeting of the participating members
33 of either the first, second or third year following the year of the
34 incorporation of the district and until their successors are elected and have
35 qualified, and as nearly as possible the terms of an equal number of
36 directors on any such board shall expire on each of such dates.

37 ~~(b) Except as provided by the bylaws of the district pursuant to~~
38 ~~K.S.A. 82a-648, and amendments thereto, At the annual meeting of each~~
39 ~~year after the year of the election of the original board members, elections~~
40 ~~shall be held to elect directors to fill any position on the board, the term of~~
41 ~~office of which has expired, and any director so elected shall hold office~~
42 ~~for a term of three years and until such director's successor is elected and~~
43 ~~has qualified. For the purpose of election of board members and for such~~

1 other purposes as the bylaws may prescribe, annual meetings of
2 participating members shall be held by each district between January 1 and
3 April 1 of each year following the year of incorporation of such district.
4 The board of directors shall cause notice of the time and place of each
5 annual meeting and the purpose thereof to be mailed to each of its
6 participating members or shall cause such notice to be published in a
7 newspaper of general circulation within the district. Every such notice
8 shall be mailed or published not less than 10 nor more than 30 days prior
9 to any such meeting. Each participating member shall be entitled to a
10 single vote, regardless of the number of benefit units to which such
11 member has subscribed.

12 Sec. 23. K.S.A. 82a-649 is hereby amended to read as follows: 82a-
13 649. (a) The board of directors of any rural water district organized under
14 K.S.A. 82a-612 et seq., and amendments thereto, and the governing body
15 of any municipality ~~which~~ *that* adjoins such district may enter into an
16 agreement for the acquisition of such district's water supply and
17 distribution system by such municipality and the assumption of water
18 service by such municipality to the customers of such district upon the
19 terms of such agreement and the provisions of this act.

20 (b) Any agreement pursuant to the provisions of this act may provide,
21 but not ~~necessarily~~ be limited to, terms and conditions for:

22 (1) The transfer to the municipality of control and ownership of the
23 district's water supply and distribution system, including all property,
24 equipment, records, reports and funds;

25 (2) continued service, at an agreed upon rate, by the municipality to
26 customers served by such system;

27 (3) assumption of all or part of the revenue bond liability or other
28 outstanding obligations of the district; and

29 (4) establishment of a policy for connecting new customers to the
30 water supply and distribution system.

31 (c) An agreement entered into pursuant to this act shall not take effect
32 until:

33 (1) The board of directors of the rural water district and the governing
34 body of the municipality each adopts a resolution approving such
35 agreement;

36 (2) a copy of the agreement is filed for public inspection in the office
37 of the county clerk of each county where there is located any portion of the
38 area served by the rural water district;

39 (3) the board of directors of the rural water district causes notice of
40 the approval of the agreement, the reasons therefor and a copy of the
41 agreement to be mailed to each participating member of the district;

42 (4) the board of directors causes to be published once in a newspaper
43 or newspapers of general circulation in the areas served by the district's

1 water supply and distribution system notice of the approval of the
2 agreement and the reasons therefor, together with a statement that the
3 proposed agreement shall take effect unless there is presented to the board
4 of directors of the rural water district a petition as provided by subsection
5 (d); and

6 (5) if a petition is presented as provided by subsection (d), a majority
7 of the participating members of the district approve the agreement as
8 provided by subsection (d).

9 (d) If, within 60 days after publication of notice pursuant to
10 subsection (c), there is presented to the board of directors of the rural
11 water district board a written petition ~~which~~ *that* is signed by participating
12 members of the rural water district equal in number to not less than 10% of
13 the total number of participating members of the district according to the
14 records of the district and requests an election on whether the agreement
15 shall take effect, the board of directors of the rural water district shall call
16 an election on the approval of such agreement. The election may be held at
17 a meeting called for ~~that such purpose or may be by mail ballot, or both.~~
18 The agreement shall not take effect unless approved by a majority of the
19 participating members voting at the election to approve the agreement.
20 Each participating member shall be entitled to a single vote, regardless of
21 the number of benefit units to which such member has subscribed.

22 (e) Notwithstanding the provisions of subsections (b) and (c), no
23 agreement made pursuant to this section shall become effective unless
24 prior to entering into such agreement, the rural water district purchases
25 from the municipality the water distributed by such district.

26 (f) Notwithstanding the provisions of K.S.A. 82a-629, and
27 amendments thereto, a rural water district shall be dissolved whenever the
28 district enters into an agreement pursuant to this section and the agreement
29 provides for:

30 (1) Total transfer of the district's water supply and distribution district
31 and all other assets of the district;

32 (2) continuation of water supply and distribution service to all
33 customers of the district;

34 (3) assumption of all revenue bond liability and all other obligations
35 of the district; and

36 (4) a policy for connecting new customers to the water supply and
37 distribution system.

38 Sec. 24. K.S.A. 82a-650 is hereby amended to read as follows: 82a-
39 650. (a) As used in this section, unless the context clearly requires
40 otherwise:

41 (1) "Acquired district" means a rural water district organized under
42 K.S.A. 82a-612 et seq., and amendments thereto, that wishes to transfer its
43 assets, liabilities and the area contained within its boundaries to another

1 rural water district organized under K.S.A. 82a-612 et seq., and
2 amendments thereto.

3 (2) "Acquiring district" means a rural water district organized under
4 K.S.A. 82a-612 et seq., and amendments thereto, that wishes to receive
5 from an acquired district, the acquired district's assets, liabilities and the
6 area contained within the acquired district's boundaries.

7 (b) The board of directors of an acquiring district and the board of
8 directors of an acquired district may enter into a memorandum of
9 understanding containing, but not necessarily limited to, terms and
10 conditions for:

11 (1) The transfer to the acquiring district of control and ownership of
12 the acquired district's water supply and distribution system, including all
13 property, equipment, contracts, records, reports and funds;

14 (2) continued service, at an agreed upon rate, by the acquiring district
15 to customers served by such system;

16 (3) assumption by the acquiring district of all of the revenue bond
17 liability and other outstanding obligations of the acquired district;

18 (4) establishment of a policy for connecting new customers to the
19 acquired water distribution system; and

20 (5) the acquisition by the acquiring district of the area within the
21 acquired district's boundaries.

22 (c) The terms contained in a memorandum of understanding entered
23 into pursuant to this act shall take effect by operation of law when:

24 (1) The board of directors of the acquiring district and the board of
25 directors of the acquired district each adopt a resolution approving such
26 terms;

27 (2) a copy of the memorandum of understanding is filed for public
28 inspection in the office of the county clerk of each county where there is
29 located any portion of the area served by the acquired district;

30 (3) the board of directors of the acquired district causes notice of the
31 approval of the terms of the memorandum of understanding, the reasons
32 for such approval and a copy of the memorandum of understanding to be
33 mailed to each participating member of the acquired district;

34 (4) the board of directors of the acquired district causes to be
35 published once in a newspaper or newspapers of general circulation in the
36 areas served by the acquired district's water supply and distribution system
37 notice of the approval of the memorandum of understanding and the
38 reasons for such approval, together with a statement that the terms of the
39 memorandum of understanding shall take effect unless there is presented
40 to the board of directors of the acquired district a petition as provided by
41 subsection (d); and

42 (5) if a petition is presented as provided by subsection (d), a majority
43 of the participating members of the acquired district approve the

1 memorandum of understanding as provided by subsection (d).

2 (d) If, within 60 days after publication of notice pursuant to
3 subsection (c), there is presented to the board of directors of the acquired
4 district a written petition ~~which~~ *that* is signed by participating members of
5 the acquired district equal in number to not less than 10% of the total
6 number of participating members of the acquired district according to the
7 records of the acquired district and requests an election on whether the
8 terms of the memorandum of understanding shall take effect, the board of
9 directors of the acquired district shall call an election on the approval of
10 the terms of such memorandum. The election may be held at a meeting
11 called for ~~that such purpose or may be by mail ballot~~. If such an election is
12 held, the terms of the memorandum of understanding shall not take effect
13 unless they are approved by a majority of the participating members voting
14 at the election to approve such terms.

15 (e) Notwithstanding the provisions of K.S.A. 82a-629, and
16 amendments thereto, an acquired district shall be dissolved whenever that
17 district enters into a memorandum of understanding pursuant to this
18 section, such memorandum shall take effect by operation of law pursuant
19 to this section, and such memorandum provides for:

20 (1) Total transfer of the acquired district's water supply and
21 distribution system and all other assets of the acquired district;

22 (2) continuation of water supply and distribution service to all
23 customers of the acquired district;

24 (3) assumption by an acquiring district of all revenue bond liability
25 and all other obligations of the acquired district;

26 (4) a policy for connecting new customers to the water supply and
27 distribution system; and

28 (5) acquisition by an acquiring district of the area within the acquired
29 district's boundaries.

30 (f) At the time of the effective date of the acquisition, and unless
31 otherwise provided by the memorandum of understanding:

32 (1) All the property of the acquired district shall be combined and
33 administered as one unit with that of the acquiring district, and the
34 acquiring district shall thereupon be invested with all the property benefits,
35 franchises and privileges of the acquired and acquiring districts and shall
36 have all of the powers of rural water districts;

37 (2) all revenue bonds, promissory notes or other liabilities theretofore
38 incurred by the acquired district shall be paid in accordance with the terms
39 thereof from revenues and facilities of both the acquired and acquiring
40 districts; and

41 (3) a copy of the memorandum of understanding and a map showing
42 the boundaries of the consolidated rural water district shall be filed with
43 the chief engineer and the secretary of state.

1 Sec. 25. K.S.A. 82a-2205 is hereby amended to read as follows: 82a-
2 2205. (a) In addition to and notwithstanding any limitations on the
3 aggregate amount of the retailers' sales tax contained in K.S.A. 12-187
4 through 12-197, and amendments thereto, the district may impose a
5 horsethief reservoir benefit district sales tax on the selling of tangible
6 personal property at retail or rendering or furnishing services taxable
7 pursuant to the provisions of the Kansas retailers' sales tax act, and
8 amendments thereto, within the district for purposes of financing the
9 project in increments of 0.05% and in an aggregate amount not to exceed
10 0.25% and pledge the revenue received therefrom to pay the costs of the
11 project, the costs to manage and operate the project and to make debt
12 service payments on any bonds issued to finance the project. Any
13 horsethief reservoir benefit district sales tax imposed pursuant to this
14 section shall expire no later than the maturity date of the bonds issued to
15 finance such project or refunding bonds issued therefor.

16 (b) Prior to the imposition of the horsethief reservoir benefit district
17 sales tax, the governing board shall adopt a resolution stating its intention
18 to levy a horsethief reservoir benefit district sales tax for the purpose of
19 financing the project and continued management and operational expenses
20 thereof as proposed by this act. The governing board shall give notice of
21 the public hearing on the imposition of such horsethief reservoir benefit
22 district sales tax. Such notice shall be published at least once a week for
23 two consecutive weeks in the official county newspaper of each county
24 whose boundaries are located within the district. The second notice shall
25 be published at least seven days prior to the date of hearing. The notice
26 shall contain the following information:

27 (1) The time and place of the hearing;
28 (2) the nature of the project;
29 (3) the estimated cost of the project;
30 (4) the proposed method of financing the project; and
31 (5) the proposed amount of the horsethief reservoir benefit district
32 sales tax to be imposed and the termination date of such horsethief
33 reservoir benefit district sales tax.

34 (c) The hearing may be adjourned from time to time. Following the
35 hearing, the governing board may authorize the project, approve the
36 estimated cost of the project and the method of financing of the project by
37 adoption of the appropriate resolution. Such resolution shall be effective
38 upon publication once in the official county newspaper of each county
39 whose boundaries are located within the district.

40 (d) If at the conclusion of the public hearing, the governing board of
41 the district proposes to impose a horsethief reservoir benefit district sales
42 tax, the governing board shall submit a proposition to impose such tax to
43 the qualified electors within the district. Notice of such election shall be

1 published at least once a week for two consecutive weeks in the official
2 county newspaper of each county whose boundaries are located within the
3 district. The second notice shall be published at least seven days prior to
4 the date of such election. Any such election shall be called and held at any
5 general election, as defined in K.S.A. 25-2502, and amendments thereto,
6 or at a special election called for ~~that~~ *such* purpose. ~~In lieu thereof, such~~
7 ~~election may be called and held in the manner provided by K.S.A. 25-431~~
8 ~~et seq., and amendments thereto.~~ If an election is held and the proposition
9 is approved by a majority of the voters of the district voting at such
10 election, the governing board, by resolution, may levy such tax. If such a
11 resolution is adopted pursuant to this act, the horsethief reservoir benefit
12 district sales tax shall be imposed in the district. Except as provided in this
13 act, the tax authorized by this section shall be administered, collected and
14 subject to provisions of K.S.A. 12-187 ~~to through 12-197, inclusive,~~ and
15 amendments thereto.

16 (e) Upon receipt of a certified copy of the resolution authorizing the
17 levy of the horsethief reservoir benefit district sales tax pursuant to this
18 section, the state director of taxation shall cause such tax to be collected in
19 the district at the same time and in the same manner provided for the
20 collection of the state retailers' sales tax. All taxes collected under the
21 provisions of this act shall be remitted by the secretary of revenue to the
22 state treasurer in accordance with the provisions of K.S.A. 75-4215, and
23 amendments thereto. Upon receipt of each such remittance, the state
24 treasurer shall deposit the entire amount of all taxes collected under the
25 provisions of this act in the state treasury to the credit of the horsethief
26 reservoir benefit district sales tax fund, which fund is hereby established in
27 the state treasury. All moneys in the horsethief reservoir benefit district
28 sales tax fund shall be remitted at least quarterly by the state treasurer, on
29 instruction from the secretary of revenue, to the district. Any refund due on
30 any horsethief reservoir benefit district sales tax collected pursuant to this
31 section shall be paid out of the horsethief reservoir benefit district sales tax
32 refund fund, which is hereby established in the state treasury and
33 reimbursed by the director of taxation from collections of the horsethief
34 reservoir benefit district sales tax authorized by this section and applied by
35 the district in the manner provided pursuant to this act.

36 Sec. 26. K.S.A. 2-610, 2-611, 10-1116c, 12-195, 12-195b, 12-352,
37 12-362, 12-521, 12-12,102, 12-17,103, 12-17,151, 12-6003, 12-6005, 13-
38 13a38, 25-431, 25-433a, 25-434, 25-435, 25-436, 25-437, 25-438, 25-439,
39 25-440, 25-2709, 42-706, 72-9939, 82a-626, 82a-648, 82a-649, 82a-650
40 and 82a-2205 and K.S.A. 2025 Supp. 25-432, 25-433, 25-1122, 25-2812,
41 25-3002 and 79-2925c are hereby repealed.

42 Sec. 27. This act shall take effect and be in force from and after its
43 publication in the statute book.