

HOUSE BILL No. 2624

By Representative Johnson

2-2

1 AN ACT concerning fire districts; authorizing the disorganization of a
2 county fire district by the board of county commissioners when such
3 district contains no territory; amending K.S.A. 19-3604 and repealing
4 the existing section.

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

7 Section 1. K.S.A. 19-3604 is hereby amended to read as follows: 19-
8 3604. (a) Any fire district may be disorganized by the board of county
9 commissioners at any time after four years from the date of the publication
10 of the final resolution for the first organization of such district upon a
11 petition to the board and the making of an order in like manner as in the
12 case of organizing any fire district under K.S.A. 19-3603, and amendments
13 thereto.

14 (b) *Any fire district that has been altered by the exclusion of lands
15 such that the district has no territory may be disorganized at any time
16 upon motion by the board of county commissioners and the making of an
17 order in like manner as in the case of organizing any fire district under
18 K.S.A. 19-3602, and amendments thereto.*

19 (c) Subject to the provisions of K.S.A. 19-270, the territory of any
20 organized fire district may be subsequently altered by the inclusion of new
21 lands or by the exclusion of lands ~~therein~~ *within the territory of such*
22 *district* upon a petition to the board of county commissioners signed by the
23 owners of at least 10% of the area of the lands sought to be included or
24 excluded, ~~which~~. Such petition shall conform, as near as may be possible,
25 to the petition required for the organization of a fire district. If the board of
26 county commissioners finds the petition is sufficient, the board may adopt
27 and publish a resolution attaching or detaching the lands described in the
28 petition to or from the fire district. The resolution shall be published once
29 each week for two consecutive weeks in a newspaper of general
30 circulation in the area where the lands are located. Such publication shall
31 include a map showing the territory of the district and the lands proposed
32 to be attached to or detached ~~therefrom~~ *from such district*. If within 30
33 days after the last publication of the resolution and map, a petition
34 protesting the inclusion or detachment of such lands, signed by the owners,
35 whether residents of the county or not, of more than 19% of the area of the
36 lands sought to be included in or excluded from the fire district is filed

1 with the county clerk, the resolution shall have no force or effect. If such a
2 protest petition shall not be filed within such time, the resolution shall
3 become final, and the lands shall ~~thereupon~~ be deemed attached to or
4 detached from the fire district. In any case where lands are included in or
5 excluded from a fire district ~~as provided herein~~ *pursuant to this section*,
6 the board shall declare the new boundary of the district by the adoption
7 and publication of a resolution in like manner as the boundaries were
8 declared at the time of the original organization ~~thereof~~ *of such district*.

9 Sec. 2. K.S.A. 19-3604 is hereby repealed.

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