

SESSION OF 2018

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2597

As Amended by Senate Committee of the Whole

Brief*

HB 2597, as amended, would designate Sedgwick County as an urban area as permitted by Article 2, Section 17 of the *Kansas Constitution*. The designation would allow the Kansas Legislature to pass laws specific to those areas.

The bill would clarify a provision exempting certain cemeteries from requirements related to cemetery maintenance funds to state any cemetery owned and operated by a nonprofit corporation located in a county designated as urban on or before March 1, 1968, would be exempt.

The bill would be in effect upon publication in the *Kansas Register*.

Background

The bill was introduced at the request of Representative Carpenter. In the House Committee on Local Government hearing, a representative of the Sedgwick County Board of County Commissioners testified as a proponent of the bill. The representative provided a history of the designation, and explained that the designation would allow the Kansas Legislature to pass laws specific to Sedgwick County without impacting the operations of other counties.

In the Senate Committee on Ethics, Elections and Local Government hearing, a representative of the Sedgwick

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

County Commissioners provided proponent testimony, stating Johnson, Wyandotte, Shawnee, and Greeley counties already have this designation and this designation does not allow a county to do anything beyond making a request for specific legislation for that county from the Legislature.

Opponent testimony was provided by the Deputy Assistant Secretary of State for Business Services, stating the bill could have unintended consequences related to the regulation of cemetery trust funds and requesting an amendment. No other testimony was provided.

The Senate Committee amended the bill to change the effective date to upon publication in the *Kansas Register*.

The Senate Committee of the Whole amended the bill as requested by the Deputy Assistant Secretary of State for Business Services.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Kansas Department of Revenue indicates the bill would have no fiscal effect on state property taxes. However, the Kansas Department of Revenue and the Kansas Association of Counties indicate future powers granted to Sedgwick County by the Legislature could result in future fiscal effects that cannot be estimated. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2019 Governor's Budget Report*.