

HOUSE BILL No. 2212

AN ACT concerning cities; relating to annexation; amending K.S.A. 12-523 and repealing the existing section.

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

Section 1. K.S.A. 12-523 is hereby amended to read as follows: 12-523. Annexation ordinances of cities shall take effect on publication as provided by law, except that any annexation ordinance published within ~~thirty (30)~~ 60 days before any election specified in this section shall become effective on the day following such election, unless such day is also within ~~thirty (30)~~ 60 days before any election specified in this section in which case such ordinance shall become effective on the day following the last such election. Elections to which this section shall apply are: (1) Primary and general election of state, county and national officers, and (2) primary and general city elections, and (3) primary and general school elections. The provisions of this section shall not apply to any special election.

New Sec. 2. (a) Except as provided by this section, the governing body of any city in a county in which there is located an improvement district shall not annex any land pursuant to K.S.A. 12-520, and amendments thereto.

(b) The provisions of subsection (a) shall not apply to:

(1) Land which is owned by or held in trust for the city or any agency thereof; or

(2) land which adjoins the city and a written petition for or consent to annexation is filed with the city by the owner.

(c) The provisions of this section shall apply to any annexation which is not completed before the effective date of this act.

(d) As used in this section:

(1) "Improvement district" means an improvement district incorporated and organized pursuant to K.S.A. 19-2753 *et seq.*, and amendments thereto, for which the petition for incorporation and organization was presented on or after January 1, 1962 and on or before January 1, 1963;

(2) "completed" means the date of the publication of the annexation ordinance as provided by 12-523, and amendments thereto.

New Sec. 3. If any provision of this act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the act and the application of such provision to other persons and circumstances shall not be affected thereby.

Sec. 4. K.S.A. 12-523 is hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and passed that body

HOUSE concurred in
SENATE amendments _____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.