

HOUSE BILL No. 2605

By Representative Mays

1-28

10 AN ACT concerning libraries; relating to the Topeka and Shawnee
11 county library district; amending K.S.A. 12-1260 and 12-1267 and re-
12 pealing the existing sections.

13
14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. K.S.A. 12-1260 is hereby amended to read as follows: 12-
16 1260. When used in this act and unless otherwise specifically provided
17 therein:

18 (a) "County" means Shawnee county;

19 (b) "city" means the city of Topeka, Kansas;

20 (c) "library district" means all ~~territory~~ *property territory* located
21 within Shawnee county except ~~that territory~~ (1) *property territory* lo-
22 cated within Rossville township and Silver Lake township and (2) ~~prop-~~
23 ~~erty territory~~ *detached from the district pursuant to section 3, and*
24 *amendments thereto;*

25 (d) "board" means the library board of trustees appointed pursuant
26 to the provisions of this act;

27 (e) "library" means a library which serves the general public and is
28 supported in whole or in part with tax money and shall be called the
29 Topeka and Shawnee county public library;

30 (f) "governing body" means the governing body of a city or the board
31 of county commissioners of a county; and

32 (g) "maintenance and support" means the general and usual cost and
33 expense of operating a library.

34 Sec. 2. K.S.A. 12-1267 is hereby amended to read as follows: 12-
35 1267. (a) The board shall prepare, publish and approve an annual budget
36 for the maintenance and support of the library and may levy a tax not to
37 exceed five mills on all taxable tangible property in the library district. At
38 least 10 days prior to filing the adopted budget with the county clerk, the
39 board shall submit the budget to the governing body of the city and county
40 for review thereby.

41 (b) Whenever the board determines that the tax levy of five mills
42 authorized by subsection (a) is insufficient to maintain and support the
43 library, the board shall adopt a resolution declaring it necessary to in-

1 crease the annual levy by an additional amount not to exceed $\frac{1}{4}$ mill in
2 any one year up to a total amount which shall not exceed an amount equal
3 to eight mills in any year.

4 (c) Any such resolution adopted under subsection (b) shall state the
5 total amount of the tax to be levied for library purposes and shall be
6 published once each week for two consecutive weeks in the official county
7 newspaper. Whereupon such annual levy in an amount not to exceed the
8 amount stated in the resolution may be made for the ensuing budget year
9 and each successive budget year unless a petition, signed by at least 5%
10 of the qualified electors of the library district, requesting an election upon
11 the proposition to increase the tax levy in excess of the current tax levy
12 is filed with the county election officer within 60 days following the date
13 of the last publication of the resolution. In the event a valid petition is
14 filed, no such increased levy shall be made without such proposition hav-
15 ing been submitted to and having been approved by a majority of the
16 electors of the library district voting at an election called and held thereon.
17 All such elections shall be called and held in the manner provided by the
18 general bond law. Such taxes shall be levied and collected in like manner
19 as other taxes, which levy the board shall certify, on or before August 25
20 of each year, to the county clerk who is hereby authorized and required
21 to place the same on the tax roll of the county to be collected by the
22 county treasurer and paid over by the county treasurer to the treasurer
23 of such board.

24 (d) The levy authorized by this section shall not be deemed a levy of
25 the city or county, and shall be in addition to all other levies authorized
26 or limited by law.

27 (e) *Any ~~property~~ territory detached pursuant to section 3, and*
28 *amendments thereto, shall not be liable for any levy imposed pursuant to*
29 *this section after the effective date of such detachment.*

30 New Sec. 3. (a) Upon presentation to the board of trustees of the
31 library district of a resolution adopted by the governing body of the city
32 of Auburn, Kansas, requesting that all ~~property~~ territory located within
33 the city of Auburn be detached from the library district, the board ~~of~~
34 ~~directors~~ shall adopt a resolution detaching such ~~property~~ territory from
35 the library district. The detachment of such ~~property~~ territory shall be
36 effective on January 1 of the succeeding year. The library board shall
37 declare the new boundaries of the library district by resolution and shall
38 certify a copy of such resolution to the county clerk.

39 (b) *No resolution requesting that all territory located within the*
40 *city of Auburn be detached from the library district adopted by the*
41 *governing body of the city of Auburn, Kansas pursuant to subsec-*
42 *tion (a) shall take effect until 60 days after its final publication, and*
43 *if within 60 days of its final publication a petition signed by a num-*

1 *ber of electors of the city equal to not less than 10% of the number*
2 *of electors who voted at the last preceding regular city election shall*
3 *be filed with the county election officer of the county in which such*
4 *city is entirely or primarily located demanding that such resolution*
5 *be submitted to a vote of the electors, such resolution shall not take*
6 *effect until submitted to a referendum and approved by a majority*
7 *of the electors voting thereon.*

8 ~~(b)~~ (c) Any property annexed by the city of Auburn, Kansas, subse-
9 quent to the presentation of a resolution requesting detachment pursuant
10 to subsection (a), may be detached from the library district in the same
11 manner and subject to the same conditions imposed pursuant to this
12 section.

13 ~~(e)~~ (d) The ~~property~~ **territory** detached from the library district shall
14 be liable for its proportionate share of all outstanding bonded indebted-
15 ness and any interest thereon of the library district on the date the res-
16 olution is passed by the library board detaching the ~~property~~ **territory**.

17 ***New Sec. 4. K.S.A. 12-1260 through 12-1270 and sections 3 and***
18 ***4, and amendments thereto, shall be known and may be cited as the***
19 ***Topeka and Shawnee library district act.***

20 Sec. ~~4~~ **5.** K.S.A. 12-1260 and 12-1267 are hereby repealed.

21 Sec. ~~5~~ **6.** This act shall take effect and be in force from and after its
22 publication in the statute book.