

SESSION OF 2003

## SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2212

As Amended by Senate Committee on  
Elections and Local Government

### **Brief\***

HB 2212 would provide that cities located in a county where there is located an improvement district shall not annex land unilaterally unless the land is held in trust for the city or the land adjoins the city and the owner petitions in writing for the annexation.

HB 2212 also amends the city annexation law to change the effective date of annexation ordinances. Current law provides the ordinance is effective upon publication unless the date is within 30 days of a primary or general election. The bill extends this 30-day provision to 60 days.

Further, the bill amends a statute prohibiting cities from annexing territory of a United States military reservation to limit this prohibition to "active military reservations" actively involved in defense activities on behalf of the federal government.

The House Committee of the Whole amendment added the annexation restriction on cities located in counties with improvement districts.

The Senate Committee added a severability clause.

### **Background**

The bill was supported by the Sedgwick and Johnson County Election Commissioners and the Lyon County Clerk who also represented the Kansas County Clerk and Election Officials Association.

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\*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/klrd>

Proponents said that election commissioners under KSA 19-3426 are required to publish wards and precincts once at least 30 days before any election, whereas KSA 12-523 allows cities to annex properties and have these properties included within the city up to 30 days before an election. They said these two statutes are not compatible since city annexation can affect election wards and precinct boundaries. For example, once land is annexed to a city, these persons become eligible to vote for city candidates. Conversely, once territory is annexed to cities of the first or second class, these residents of cities are not able to vote for township offices any longer.

The bill has no fiscal impact.