

SESSION OF 2004

SUPPLEMENTAL NOTE ON SENATE BILL NO. 405

As Amended by House Committee on
Federal and State Affairs

Brief*

Current law limits the amount of time for remediation of an environmentally contaminated area under the Tax Increment Financing (TIF) Act to 20 years. As amended, SB 405 would allow a city to extend this time period up to a maximum of 30 years upon the approval of the Board of County Commissioners and the local board of education.

Background

The City of Wichita had requested the bill and was a proponent. A representative for Sedgwick County was an opponent to the original bill. The Sedgwick County representative was a proponent of the amended bill.

The original bill would have allowed a city to undertake separate phases in remediation of environmental contaminated areas. The phases may have included the design phase, remediation phase, source-control phase, and monitoring phase, and each phase would be required to be completed within 20 years from the date of the order or consent decree agreement. Taken to the extreme, a tax increment financing (TIF) district for an environmental contaminated area could be in place for 80 years.

The Senate Committee amended the bill to extend the time limit from 20 to 30 years.

The Senate Committee of the Whole amended the bill to allow an extension of up to 10 years upon approval by the county and the local

*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>

school board.

The House Committee amendment is technical.

The fiscal note indicates that passage of the bill would not have a fiscal effect on the Kansas Department of Health and Environment nor the League of Kansas Municipalities.