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MEMORANDUM

To: Chairperson Thompson
Members of the Senate Committee on Federal and State Affairs

From: The Office of Revisor of Statutes

Date: February 20, 2024

Subject: SB 474 – Removing the restriction on administrative ordinances for ordinances by petition.

Senate Bill No. 474 (SB 474) would amend K.S.A. 12-3013, which generally governs the enactment of city ordinances by petition. A proposed ordinance may be submitted to the governing body of a city by a petition signed by at least 25% of the voters in a city of the first class and by at least 40% of the voters in a city of the second or third class. The governing body must either adopt such ordinance without amendment within 20 days of receiving a valid petition or hold an election on the proposed ordinance. If a majority vote in favor of the proposed ordinance, then it becomes valid and binding and cannot be repealed or amended except by a vote of the city electors for 10 years. Under current law, the following ordinances cannot be proposed by initiative petition:

- Administrative ordinances;
- Ordinances for public improvements paid for by a special assessment; or
- Ordinances subject to referendum or election under another statute.

SB 474 would strike administrative ordinances from the above list. Under the bill, administrative ordinances could be proposed by initiative petition in accordance with the statute.

If enacted, SB 474 would become effective on July 1, 2024.