

February 20, 2025

The Honorable Emil Bergquist, Chairperson
House Committee on Local Government
300 SW 10th Avenue, Room 281-N
Topeka, Kansas 66612

Dear Representative Bergquist:

SUBJECT: Fiscal Note for HB 2363 by House Committee on Agriculture and Natural Resources Budget

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2363 is respectfully submitted to your committee.

HB 2363 specifies that to minimize conflicts with land-use planning, each proposed conservation easement would be required to be approved by the appropriate board of county commissioners or city governing body. When a proposed conservation easement is located on property outside the planning jurisdiction of a city, the board of county commissioners would refer the proposed easement to the county planning commission for review. The county planning commission would be required to hold a hearing within 60 days of receipt of the proposed easement regarding the conformity of the easement to the comprehensive plan for the county. If the county planning commission fails to act within 60 days, the easement would be deemed approved by the county planning commission and would then be considered by the board of county commissioners.

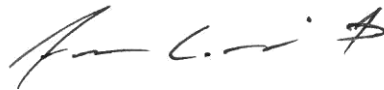
If the property is located partially or entirely within the boundaries of or the zoning jurisdiction of a city, the governing body of the city would refer the proposed easement to the city planning commission for review and recommendation. If the city planning commission fails to act within 60 days, the easement would be deemed approved by the city planning commission and then would be considered by the city governing body.

A proposed conservation easement may be denied by the appropriate city or county governing body upon a finding that the easement is not in the public interest when the easement is inconsistent with the comprehensive plan for the area in force at the time of the conveyance; any

national, state, regional, or local program furthering conservation or preservation; or any known proposal by a governmental body of the city or county for use of the land.

The League of Kansas Municipalities states the bill's enactment would not have a fiscal effect on Kansas cities. The Kansas Association of Counties states enactment of the bill could extend the time and effort to approve a conservation easement; however, any fiscal effect for counties would depend on how many easements would need to be approved.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt". The signature is fluid and cursive, with a large initial "A" and a distinct "P" at the end.

Adam C. Proffitt
Director of the Budget

cc: Wendi Stark, League of Kansas Municipalities
Jay Hall, Kansas Association of Counties