

HOUSE BILL No. 2242

By Committee on Judiciary

Requested by Representative Proctor on behalf of Michelle Richart

2-4

1 AN ACT concerning federal jurisdiction; relating to federal property;
2 authorizing the governor to accept requests from the federal
3 government to establish concurrent jurisdiction in certain
4 circumstances; amending K.S.A. 27-102 and repealing the existing
5 section.
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 27-102 is hereby amended to read as follows: 27-
9 102. (a) That exclusive jurisdiction over and within any lands so acquired
10 by the United States shall be, and the same is hereby, ceded to the United
11 States, for all purposes; saving, however, to the state of Kansas the right to
12 serve therein any civil or criminal process issued under the authority of the
13 state, in any action on account of rights acquired, obligations incurred or
14 crimes committed in said state, but outside the boundaries of such land;
15 and saving further to said state the right to tax the property and franchises
16 of any railroad, bridge or other corporations within the boundaries of such
17 lands; but the jurisdiction hereby ceded shall not continue after the United
18 States shall cease to own said lands.

19 (b) (1) *The state of Kansas authorizes the governor to grant requests*
20 *from the United States to establish concurrent jurisdiction over land*
21 *owned by the United States for military purposes within the boundaries of*
22 *Kansas. Concurrent jurisdiction shall be effective upon completion of:*

23 (A) *A written offer for concurrent jurisdiction being sent to the*
24 *governor by the principal officer of the military installation or other*
25 *authorized representative of the United States having supervision and*
26 *control over the land that:*

27 (i) *Clearly states the subject matter for the concurrent jurisdiction*
28 *request;*

29 (ii) *provides the metes and bounds description of the boundary of the*
30 *concurrent jurisdiction offer; and*

31 (iii) *indicates whether the request includes future contiguous*
32 *expansion of land acquired for military purposes; and*

33 (B) *the governor accepting the offer in writing that clearly confirms*
34 *each of the elements of the offer that are accepted; and*

35 (C) *the governor recording and indexing the offer, acceptance and*

1 *metes and bounds description of the boundary of concurrent jurisdiction*
2 *with the secretary of state who shall publish such information in the*
3 *Kansas register.*

4 *(2) After concurrent jurisdiction is effective:*

5 *(A) The governor shall send a copy of the information provided to the*
6 *secretary of state to the official who made the initial written offer; and*

7 *(B) any state or local agency may enter into a reciprocal agreement*
8 *or memorandum of understanding with any agency of the United States for*
9 *the coordination and designation of responsibilities related to the*
10 *concurrent jurisdiction.*

11 Sec. 2. K.S.A. 27-102 is hereby repealed.

12 Sec. 3. This act shall take effect and be in force from and after its
13 publication in the statute book.