

Substitute for SENATE BILL No. 197

By Committee on Commerce

2-18

1 AN ACT concerning the STAR bonds financing act; relating to STAR
2 bond project district requirements; authorizing redevelopment of
3 certain mall facilities as eligible STAR bond projects; requiring all
4 businesses located in a STAR bond project district to provide visitor
5 data to the secretary of commerce on a quarterly basis instead of an
6 annual basis; requiring the secretary to make certain information
7 concerning STAR bond projects publicly available on the website of
8 the department of commerce; prohibiting state general fund moneys
9 from being pledged for the repayment of any special obligation bond
10 issued by a city or county to finance a STAR bond project; prohibiting
11 a city or county from using eminent domain to acquire real property for
12 a STAR bond project; extending the expiration date of the STAR bonds
13 financing act to July 1, 2028; amending K.S.A. 12-17,160, 12-17,166,
14 12-17,172 and 12-17,179 and K.S.A. 2024 Supp. 12-17,162 and 12-
15 17,169 and repealing the existing sections.

16

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

18 New Section 1. (a) The governing body of a city or county may
19 establish one or more STAR bond projects for the purpose of the
20 redevelopment of a mall facility in accordance with the provisions of the
21 STAR bonds financing act, K.S.A. 12-17,160 et seq., and amendments
22 thereto. The secretary of commerce shall review the STAR bond project
23 plan and determine whether to approve such plan in accordance with the
24 STAR bonds financing act. A mall STAR bond project may be located in a
25 newly created mall STAR bond project district or in an existing STAR
26 bond project district.

27 (b) Any mall STAR bond project approved by a city or county and
28 the secretary in accordance with the STAR bonds financing act shall be
29 eligible for financing by special obligation bonds payable from revenues
30 described by K.S.A. 12-17,169(a)(1), and amendments thereto, which
31 revenues may include 100% of the tax increment revenue received. Any
32 special obligation bonds issued to finance a mall STAR bond project shall
33 be subject to the provisions of the STAR bonds financing act. In the event
34 that the city or county shall default in the payment of any STAR bonds
35 payable from revenues described in K.S.A. 12-17,169(a)(1), and
36 amendments thereto, no public funds shall be used to pay the holders

1 thereof except as specifically authorized by the STAR bonds financing act.
2 Any bonds issued may pay for any or all amounts of the overall project
3 costs and shall not be limited to payment of only a certain percentage of
4 total project costs for such mall STAR bond project.

5 (c) This section shall be a part of and supplemental to the STAR
6 bonds financing act.

7 Sec. 2. K.S.A. 12-17,160 is hereby amended to read as follows: 12-
8 17,160. It is hereby declared to be the purpose of this act to promote,
9 stimulate and develop the general and economic welfare of the state of
10 Kansas and its communities and to assist in the development and
11 redevelopment of eligible areas within and without a city thereby
12 promoting the general welfare of the citizens of this state, by authorizing
13 cities and counties to ~~acquire certain property and to~~ issue sales tax and
14 revenue (STAR) bonds for the financing of STAR bond projects as defined
15 in K.S.A. 12-17,162, and amendments thereto. ~~It is further found and~~
16 ~~declared that the powers conferred by this act are for a public purpose and~~
17 ~~public use for which public money may be expended and the power of~~
18 ~~eminent domain may be exercised. The necessity in the public interest for~~
19 ~~the provisions of this act is hereby declared as a matter of legislative~~
20 ~~determination.~~

21 Sec. 3. K.S.A. 2024 Supp. 12-17,162 is hereby amended to read as
22 follows: 12-17,162. As used in the STAR bonds financing act, unless a
23 different meaning clearly appears from the context:

24 (a) "Auto race track facility" means: (1) An auto race track facility
25 and facilities directly related and necessary to the operation of an auto race
26 track facility, including, but not limited to, grandstands, suites and viewing
27 areas, concessions, souvenir facilities, catering facilities, visitor and retail
28 centers, signage and temporary hospitality facilities, but excluding (2)
29 hotels, motels, restaurants and retail facilities, not directly related to or
30 necessary to the operation of such facility.

31 (b) "Commence work" means the manifest commencement of actual
32 operations on the development site, such as, erecting a building,
33 excavating the ground to lay a foundation or a basement or work of like
34 description according to an approved plan of construction, with the
35 intention and purpose to continue work until the project is completed.

36 (c) "De minimis" means an amount less than 15% of the land area
37 within a STAR bond project district.

38 (d) "Developer" means any person, firm, corporation, partnership or
39 limited liability company other than a city and other than an agency,
40 political subdivision or instrumentality of the state. "Developer" includes
41 the names of the owners, partners, officers or principals of the developer
42 for purposes of inclusion of the name of the developer into any
43 application, document or report pursuant to this act if such application,

1 document or report is a public record.

2 (e) "Economic impact study" means a study to project the financial
3 benefit of the project to the local, regional and state economies.

4 (f) "Eligible area" means a historic theater, *mall facility*, major
5 tourism area, major motorsports complex, auto race track facility, river
6 walk canal facility, major multi-sport athletic complex, major business
7 facility, a major commercial entertainment and tourism area or a major
8 professional sports complex as determined by the secretary.

9 (g) "Feasibility study" means a feasibility study as defined in K.S.A.
10 12-17,166(b), and amendments thereto.

11 (h) "Historic theater" means a building constructed prior to 1940 that
12 was constructed for the purpose of staging entertainment, including motion
13 pictures, vaudeville shows or operas, that is operated by a nonprofit
14 corporation and is designated by the state historic preservation officer as
15 eligible to be on the Kansas register of historic places or is a member of
16 the Kansas historic theatre association.

17 (i) "Historic theater sales tax increment" means the amount of state
18 and local sales tax revenue imposed pursuant to K.S.A. 12-187 et seq., 79-
19 3601 et seq. and 79-3701 et seq., and amendments thereto, collected from
20 taxpayers doing business within the historic theater that is in excess of the
21 amount of such taxes collected prior to the designation of the building as a
22 historic theater for purposes of this act.

23 (j) "Major business facility" means a significant business
24 headquarters or office building development designed to draw a substantial
25 number of new visitors to Kansas and that has agreed to provide visitor
26 tracking data to the secretary as requested by the secretary, including, but
27 not limited to, residence zip code information, to be provided or held by
28 the secretary without personally identifiable information. A major business
29 facility shall meet sales tax increment revenue requirements that shall be
30 established by the secretary independent of any associated retail businesses
31 located in the STAR bond project district pursuant to the STAR bond
32 project plan.

33 (k) "Major commercial entertainment and tourism area" means an
34 area that may include, but not be limited to, a major multi-sport athletic
35 complex.

36 (l) "Major motorsports complex" means a complex in Shawnee
37 county that is utilized for the hosting of competitions involving motor
38 vehicles, including, but not limited to, automobiles, motorcycles or other
39 self-propelled vehicles other than a motorized bicycle or motorized
40 wheelchair. Such project may include racetracks, all facilities directly
41 related and necessary to the operation of a motorsports complex,
42 including, but not limited to, parking lots, grandstands, suites and viewing
43 areas, concessions, souvenir facilities, catering facilities, visitor and retail

1 centers, signage and temporary hospitality facilities, but excluding hotels,
2 motels, restaurants and retail facilities not directly related to or necessary
3 to the operation of such facility.

4 (m) "Major tourism area" means an area for which the secretary has
5 made a finding the capital improvements costing not less than
6 \$100,000,000 will be built in the state to construct an auto race track
7 facility.

8 (n) "Major multi-sport athletic complex" means an athletic complex
9 that is utilized for the training of athletes, the practice of athletic teams, the
10 playing of athletic games or the hosting of events. Such project may
11 include playing fields, parking lots and other developments including
12 grandstands, suites and viewing areas, concessions, souvenir facilities,
13 catering facilities, visitor centers, signage and temporary hospitality
14 facilities, but excluding hotels, motels, restaurants and retail facilities, not
15 directly related to or necessary to the operation of such facility.

16 (o) "Major professional sports complex" means a project, approved or
17 pursuant to an authorized agreement as provided by K.S.A. 2024 Supp. 12-
18 17,181, and amendments thereto, located within this state including a
19 stadium of not less than 30,000 seats for the purpose of the holding of
20 national football league or major league baseball athletic contests and
21 other events and gatherings or a practice or training facility utilized by a
22 major professional sports franchise and all buildings, improvements,
23 facilities or attractions located within any STAR bond project district as
24 defined in subsection (cc)(2).

25 (p) "Major professional sports franchise" means any corporation,
26 partnership or other entity that owns a team or franchise that is a member
27 of the national football league or major league baseball that is located in
28 any state adjacent to Kansas.

29 (q) "Market study" means a study to determine the ability of the
30 project to gain market share locally, regionally and nationally and the
31 ability of the project to gain sufficient market share to:

32 (1) Remain profitable past the term of repayment; and

33 (2) maintain status as a significant factor for travel decisions.

34 (r) "Market impact study" means a study to measure the impact of the
35 proposed project on similar businesses in the project's market area.

36 (s) "Museum facility" means a separate newly-constructed museum
37 building and facilities directly related and necessary to the operation
38 thereof, including gift shops and restaurant facilities, but excluding hotels,
39 motels, restaurants and retail facilities not directly related to or necessary
40 to the operation of such facility. The museum facility shall be owned by
41 the state, a city, county, other political subdivision of the state or a non-
42 profit corporation, shall be managed by the state, a city, county, other
43 political subdivision of the state or a non-profit corporation and may not

1 be leased to any developer and shall not be located within any retail or
2 commercial building.

3 (t) "Project" means a STAR bond project.

4 (u) "Project costs" means those costs necessary to implement a STAR
5 bond project plan, including costs incurred for:

6 (1) Acquisition of real property within the STAR bond project area;

7 (2) payment of relocation assistance pursuant to a relocation
8 assistance plan as provided in K.S.A. 12-17,173, and amendments thereto;

9 (3) site preparation including utility relocations;

10 (4) sanitary and storm sewers and lift stations;

11 (5) drainage conduits, channels, levees and river walk canal facilities;

12 (6) street grading, paving, graveling, macadamizing, curbing,
13 guttering and surfacing;

14 (7) street light fixtures, connection and facilities;

15 (8) underground gas, water, heating and electrical services and
16 connections located within the public right-of-way;

17 (9) sidewalks and pedestrian underpasses or overpasses;

18 (10) drives and driveway approaches located within the public right-
19 of-way;

20 (11) water mains and extensions;

21 (12) plazas and arcades;

22 (13) parking facilities and multilevel parking structures devoted to
23 parking only;

24 (14) landscaping and plantings, fountains, shelters, benches,
25 sculptures, lighting, decorations and similar amenities;

26 (15) auto race track facility;

27 (16) major multi-sport athletic complex;

28 (17) museum facility;

29 (18) major motorsports complex;

30 (19) rural redevelopment project, including costs incurred in
31 connection with the construction or renovation of buildings or other
32 structures;

33 (20) major professional sports complex, including all costs necessary
34 to implement a STAR bond project plan for the development of a major
35 professional sports complex, including, but not limited to, costs incurred
36 for construction or renovation of a stadium and other buildings,
37 improvements, structures, facilities, infrastructure improvements and
38 utilities or any related expenses to develop and finance such complex;

39 (21) related expenses to redevelop and finance the project, except that
40 for a STAR bond project financed with special obligation bonds payable
41 from the revenues described in K.S.A. 12-17,169(a)(1) or (a)(2)(A) and (a)
42 (2)(B), and amendments thereto, such expenses shall require prior
43 approval by the secretary of commerce; ~~and~~

1 (22) *mall facility, including all costs necessary to implement a project*
2 *plan for the redevelopment of a mall STAR bond project district, including*
3 *costs incurred for the construction or renovation of interior and exterior*
4 *structures, parking facilities and multi-level parking structures,*
5 *infrastructure and utilities, the acquisition of personal property related*
6 *thereto and any other related expenses necessary to develop and finance*
7 *such mall facility; and*

8 (23) except as specified in paragraphs (1) through ~~(21)~~ (22) above,
9 "project costs" does not include:

10 (A) Costs incurred in connection with the construction of buildings or
11 other structures;

12 (B) fees and commissions paid to developers, real estate agents,
13 financial advisors or any other consultants who represent the developers or
14 any other businesses considering locating in or located in a STAR bond
15 project district;

16 (C) salaries for local government employees;

17 (D) moving expenses for employees of the businesses locating within
18 the STAR bond project district;

19 (E) property taxes for businesses that locate in the STAR bond project
20 district;

21 (F) lobbying costs;

22 (G) any bond origination fee charged by the city or county;

23 (H) any personal property as defined in K.S.A. 79-102, and
24 amendments thereto; and

25 (I) travel, entertainment and hospitality.

26 (v) "Projected market area" means any area within the state in which
27 the project is projected to have a substantial fiscal or market impact upon
28 businesses in such area.

29 (w) "River walk canal facilities" means a canal and related water
30 features which flow through a major commercial entertainment and
31 tourism area and facilities related or contiguous thereto, including, but not
32 limited to, pedestrian walkways and promenades, landscaping and parking
33 facilities.

34 (x) "Rural redevelopment project" means a project that is in an area
35 outside of a metropolitan area with a population of more than 50,000, that
36 is of regional importance, with capital investment of at least \$3,000,000
37 and that will enhance the quality of life in the community and region.

38 (y) "Sales tax and revenue" are those revenues available to finance
39 the issuance of special obligation bonds as identified in K.S.A. 12-17,168,
40 and amendments thereto.

41 (z) "STAR bond" means a sales tax and revenue bond.

42 (aa) "STAR bond project" means:

43 (1) An approved project to implement a project plan for the

- 1 development of the established STAR bond project district that:
- 2 (A) (i) Has at least a \$75,000,000 capital investment and \$75,000,000
3 in projected gross annual sales; or
4 (ii) for metropolitan areas with a population of between 50,000 and
5 75,000, has at least a \$40,000,000 capital investment and \$40,000,000 in
6 projected gross annual sales, if the project is deemed of high value by the
7 secretary; or
8 (B) for areas outside of metropolitan areas with a population of more
9 than 50,000, the secretary finds the project:
10 (i) Is an eligible area as defined in subsection (f); and
11 (ii) would be of regional or statewide importance;
12 (C) is a major tourism area as defined in subsection (m);
13 (D) is a major motorsports complex, as defined in subsection (l); or
14 (E) is a rural redevelopment project as defined in subsection (x); ~~or~~
15 (2) a project approved or pursuant to an authorized agreement as
16 provided by K.S.A. 2024 Supp. 12-17,181, and amendments thereto, to
17 implement one or more project plans for the development of a major
18 professional sports complex with a combined capital investment of not less
19 than \$1,000,000,000; *or*
20 (3) *an approved mall STAR bond project as defined in subsection (ll).*
21 (bb) "STAR bond project area" means the geographic area within the
22 STAR bond project district in which there may be one or more projects.
23 (cc) "STAR bond project district" means:
24 (1) The specific area declared to be an eligible area as determined by
25 the secretary in which the city or county may develop one or more STAR
26 bond projects. A "STAR bond project district" includes a redevelopment
27 district, as defined in K.S.A. 12-1770a, and amendments thereto, created
28 prior to the effective date of this act for the Wichita Waterwalk project in
29 Wichita, Kansas, provided, the city creating such redevelopment district
30 submits an application for approval for STAR bond financing to the
31 secretary on or before July 31, 2007, and receives a final letter of
32 determination from the secretary approving or disapproving the request for
33 STAR bond financing on or before November 1, 2007. No STAR bond
34 project district shall include real property which has been part of another
35 STAR bond project district unless such STAR bond project and STAR
36 bond project district have been approved by the secretary of commerce
37 pursuant to K.S.A. 12-17,164 and 12-17,165, and amendments thereto,
38 prior to March 1, 2016. A STAR bond project district in a metropolitan
39 area with a population of more than 50,000, shall be a contiguous parcel of
40 real estate and shall be limited to those areas being developed by the
41 STAR bond project and any area of real property reasonably anticipated to
42 directly benefit from the redevelopment project; or
43 (2) the specific area approved or pursuant to an authorized agreement

1 as provided by K.S.A. 2024 Supp. 12-17,181, and amendments thereto,
2 and that is declared to be an eligible area as determined by the secretary in
3 which the city or county, or the secretary independently or with the
4 participation of the city or county, as provided by K.S.A. 12-17,164, and
5 amendments thereto, may develop one or more STAR bond projects as
6 defined in subsection (aa)(2). Such area may include real property that is
7 or has been a part of another STAR bond project district, however, any
8 outstanding STAR bonds issued for such other STAR bond project district
9 shall have priority for repayment. Any STAR bond project district as
10 defined pursuant to this paragraph shall not be required to contain
11 contiguous parcels of real estate or be limited to those areas being
12 developed pursuant to any such STAR bond project.

13 (dd) "STAR bond project district plan" means the preliminary plan
14 that identifies all of the proposed STAR bond project areas and identifies
15 in a general manner all of the buildings, facilities and improvements in
16 each that are proposed to be constructed or improved in each STAR bond
17 project area.

18 (ee) "STAR bond project plan" means the plan adopted by a city or
19 county for the development of a STAR bond project or projects in a STAR
20 bond project district. "STAR bond project plan" includes a plan adopted by
21 the secretary independently, the secretary with the participation of a city or
22 county or a city or county as approved by the secretary, as provided by
23 K.S.A. 12-17,164, and amendments thereto, for the development of a
24 STAR bond project or projects as defined in subsection (aa)(2) in a STAR
25 bond project district as defined in subsection (cc)(2) and approved or
26 pursuant to an authorized agreement as provided by K.S.A. 2024 Supp. 12-
27 17,181, and amendments thereto.

28 (ff) "Secretary" means the secretary of commerce.

29 (gg) "Substantial change" means, as applicable, a change wherein the
30 proposed plan or plans differ substantially from the intended purpose for
31 which the STAR bond project district plan was approved.

32 (hh) "Tax increment" means:

33 (1) Except as provided in paragraph (2), that portion of the revenue
34 derived from state and local sales, use and transient guest tax imposed
35 pursuant to K.S.A. 12-187 et seq., 12-1692 et seq., 79-3601 et seq. and 79-
36 3701 et seq., and amendments thereto, collected from taxpayers doing
37 business within that portion of a STAR bond project district occupied by a
38 project that is in excess of the amount of base year revenue. For purposes
39 of this subsection, the base year shall be the 12-month period immediately
40 prior to the month in which the STAR bond project district is established.
41 The department of revenue shall determine base year revenue by reference
42 to the revenue collected during the base year from taxpayers doing
43 business within the specific area in which a STAR bond project district is

1 subsequently established. The base year of a STAR bond project district,
2 following the addition of area to the STAR bond project district, shall be
3 the base year for the original area, and with respect to the additional area,
4 the base year shall be any 12-month period immediately prior to the month
5 in which additional area is added to the STAR bond project district. For
6 purposes of this subsection, revenue collected from taxpayers doing
7 business within a STAR bond project district, or within a specific area in
8 which a STAR bond project district is subsequently established shall not
9 include local sales and use tax revenue that is sourced to jurisdictions other
10 than those in which the project is located. The secretary of revenue and the
11 secretary of commerce shall certify the appropriate amount of base year
12 revenue for taxpayers relocating from within the state into a STAR bond
13 district.

14 (2) With respect to any STAR bond project district as defined in
15 subsection (cc)(2), "tax increment" may include all revenue described in
16 paragraph (1) collected from retail sales from any business within such
17 STAR bond project district. "Tax increment" shall include all revenue
18 derived from the sale of alcoholic liquor as defined in K.S.A. 79-41a01,
19 and amendments thereto, pursuant to K.S.A. 79-4101 and 79-41a02, and
20 amendments thereto, collected from consumers purchasing alcoholic
21 liquor within such STAR bond project district that is in excess of the
22 amount of base year revenue for such taxes. The "tax increment" for any
23 such STAR bond project district that has been independently established
24 by the secretary as provided by K.S.A. 12-17,164, and amendments
25 thereto, shall not include local sales, use or transient guest tax imposed
26 pursuant to K.S.A. 12-187 et seq. and 12-1692 et seq., and amendments
27 thereto, unless approved by a participating city or county as provided by
28 K.S.A. 12-17,164, and amendments thereto. If a STAR bond project
29 district as defined in subsection (cc)(2) includes real property that is or has
30 been part of another previously approved STAR bond project district, the
31 "tax increment" shall also exclude that portion of state and local sales, use
32 or transient guest tax revenue pledged to repayment of any STAR bonds
33 issued for a previously approved STAR bond project within such other
34 district while such bonds are outstanding. The amount of base year
35 revenue for any revenue derived from the sale of alcoholic liquor and any
36 state sales and use taxes shall be set by the secretary in the secretary's sole
37 discretion upon the establishment of a STAR bond project district as
38 defined in K.S.A. 12-17,162(cc)(2), and amendments thereto. If local
39 sales, use or transient guest tax revenue are also pledged by a city or
40 county, whether such city or county is participating with the secretary, or is
41 itself establishing such STAR bond project district, as provided by K.S.A.
42 12-17,164, and amendments thereto, the amount of base year revenue for
43 such local tax revenues shall be set by the city or county in the city or

1 county's discretion and approved by the secretary. Base year revenue
2 determinations by the secretary or by the city or county as approved by the
3 secretary shall not be required to be based on the procedure provided in
4 paragraph (1).

5 (ii) "Taxpayer" means a person, corporation, limited liability
6 company, S corporation, partnership, registered limited liability
7 partnership, foundation, association, nonprofit entity, sole proprietorship,
8 business trust, group or other entity that is subject to the Kansas income
9 tax act, K.S.A. 79-3201 et seq., and amendments thereto.

10 (jj) "*Mall*" means an enclosed area comprised of multiple interior-
11 facing businesses and stores primarily devoted to the in-person retail sale
12 of goods and services and the parking, green space and arterial roads
13 contiguous thereto.

14 (kk) "*Mall facility*" means an area containing a mall that is located
15 within the state of Kansas.

16 (ll) "*Mall STAR bond project*" means an approved project to
17 implement one or more project plans for the redevelopment of a mall STAR
18 bond project district that:

19 (1) *Has a combined capital investment of at least \$10,000,000; and*

20 (2) *contains a mall in which 50% or more of the total leasable area*
21 *for businesses to operate in the mall is unoccupied.*

22 (mm) "*Mall STAR bond project district*" means the specific area
23 declared to be an eligible area as determined by the secretary that will
24 include a mall STAR bond project.

25 Sec. 4. K.S.A. 12-17,166 is hereby amended to read as follows: 12-
26 17,166. (a) One or more projects may be undertaken by a city or county
27 within an established STAR bond project district upon submission of the
28 project plan to the secretary of commerce and approval by the secretary as
29 provided by K.S.A. 12-17,164, and amendments thereto. Any city or
30 county proposing to undertake a STAR bond project shall prepare a STAR
31 bond project plan in consultation with the planning commission of the city,
32 and in consultation with the planning commission of the county, if any, if
33 such project is located wholly outside the boundaries of the city. Any such
34 project plan may be implemented in separate development stages.

35 (b) Any city or county proposing to undertake a STAR bond project
36 within a STAR bond project district established pursuant to K.S.A. 12-
37 17,165, and amendments thereto, shall prepare a feasibility study to be
38 conducted by one or more consultants selected and approved by the
39 secretary, and the costs shall be paid by the developer or the city or county.
40 The secretary shall have control and oversight authority over the scope,
41 conduct and methodology of the study. The secretary may establish a list
42 of preapproved consultants and approved study parameters and methods.
43 The feasibility study shall contain the following:

1 (1) Whether a STAR bond project's revenue and tax increment
2 revenue and other available revenues under K.S.A. 12-17,169, and
3 amendments thereto, are expected to exceed or be sufficient to pay for the
4 project costs;

5 (2) the effect, if any, a STAR bond project will have on any
6 outstanding special obligation bonds payable from the revenues described
7 in K.S.A. 12-17,169, and amendments thereto;

8 (3) a statement of how the jobs and taxes obtained from the STAR
9 bond project will contribute significantly to the economic development of
10 the state and region;

11 (4) visitation expectations and a plan describing how the number of
12 visitors to the STAR bond project district will be tracked and reported to
13 the secretary on ~~an annual~~ *a quarterly* basis. Such plan shall include, but
14 not be limited to, obtaining and reporting visitor residence zip code data to
15 the secretary. ~~All businesses located in the STAR bond district shall~~
16 ~~provide visitor residence data requested by the secretary. Any such data~~
17 ~~shall be provided in an aggregate manner without personally identifiable~~
18 ~~information;~~

19 (5) the unique quality of the project;

20 (6) economic impact study, including the anticipated effect of the
21 project on the regional and statewide economies;

22 (7) market study;

23 (8) market impact study;

24 (9) integration and collaboration with other resources or businesses;

25 (10) the quality of service and experience provided, as measured
26 against national consumer standards for the specific target market;

27 (11) project accountability, measured according to best industry
28 practices;

29 (12) the expected return on state and local investment that the project
30 is anticipated to produce;

31 (13) a net return on investment analysis;

32 (14) a statement concerning whether a portion of the local sales and
33 use taxes are pledged to other uses and are unavailable as revenue for the
34 STAR bond project. If a portion of local sales and use taxes is so
35 committed, the applicant shall describe the following:

36 (A) The percentage of city and county sales and use taxes collected
37 that are so committed; and

38 (B) the date or dates on which the city and county sales and use taxes
39 pledged to other uses can be pledged for repayment of bonds;

40 (15) an anticipated principal and interest payment schedule on the
41 bond issue;

42 (16) a summary of community involvement, participation and support
43 for the STAR bond project; and

1 (17) a full disclosure and description of all state, federal and local tax
2 incentives that apply or, pursuant to the project plan, are anticipated to
3 apply within the STAR bond district or that apply to any business located
4 in or, pursuant to the project plan, that will locate in the district.

5 The failure to include all information enumerated in this subsection in
6 the feasibility study for a STAR bond project shall not affect the validity of
7 bonds issued pursuant to this act.

8 (c) If the city or county determines the project is feasible, the project
9 plan shall include:

10 (1) A summary of the feasibility study done as defined in subsection
11 (b);

12 (2) a reference to the district plan established under K.S.A. 12-
13 17,165, and amendments thereto, that identifies the project area that is set
14 forth in the project plan that is being considered;

15 (3) a description and map of the project area to be redeveloped;

16 (4) the relocation assistance plan as described in K.S.A. 12-17,172,
17 and amendments thereto;

18 (5) a detailed description of the buildings and facilities proposed to be
19 constructed or improved in such area;

20 (6) the names of the owners, partners, officers or principals of any
21 developer of the project and of any associated business partner of any
22 developer of the project that is involved in the STAR bond project; and

23 (7) any other information the governing body of the city or county
24 deems necessary to advise the public of the intent of the project plan.

25 (d) A copy of the STAR bond project plan prepared by a city shall be
26 delivered to the board of county commissioners of the county and the
27 board of education of any school district levying taxes on property within
28 the STAR bond project area. A copy of the STAR bond project plan
29 prepared by a county shall be delivered to the board of education of any
30 school district levying taxes on property within the STAR bond project
31 area.

32 (e) Upon a finding by the planning commission that the STAR bond
33 project plan is consistent with the intent of the comprehensive plan for the
34 development of the city, and a finding by the planning commission of the
35 county, if any, with respect to a STAR bond project located wholly outside
36 the boundaries of the city, that the STAR bond project plan is consistent
37 with the intent of the comprehensive plan for the development of the
38 county, the governing body of the city or county shall adopt a resolution
39 stating that the city or county is considering the adoption of the STAR
40 bond project plan. Such resolution shall:

41 (1) Give notice that a public hearing will be held to consider the
42 adoption of the STAR bond project plan and fix the date, hour and place of
43 such public hearing. In addition to any other notice, such notice shall be

1 conspicuously provided at a prominent location on the first page of the
2 website of the county or city, if the county or city has a website;

3 (2) describe the boundaries of the STAR bond project district within
4 which the STAR bond project will be located and the date of establishment
5 of such district;

6 (3) describe the boundaries of the area proposed to be included within
7 the STAR bond project area; and

8 (4) state that the STAR bond project plan, including a summary of the
9 feasibility study, market study, relocation assistance plan and financial
10 guarantees of the prospective developer and a description and map of the
11 area to be redeveloped or developed are available for inspection during
12 regular office hours in the office of the city clerk or county clerk,
13 respectively.

14 (f) (1) The date fixed for the public hearing to consider the adoption
15 of the STAR bond project plan shall be not less than 30 nor more than 70
16 days following the date of the adoption of the resolution fixing the date of
17 the hearing.

18 (2) A copy of the city or county resolution providing for the public
19 hearing shall be by certified mail, return receipt requested, sent by the city
20 to the board of county commissioners of the county and by the city or
21 county to the board of education of any school district levying taxes on
22 property within the proposed STAR bond project area. Copies also shall be
23 sent by certified mail, return receipt requested to each owner and occupant
24 of land within the proposed STAR bond project area not more than 10 days
25 following the date of the adoption of the resolution. The resolution shall be
26 published once in the official city or county newspaper not less than one
27 week nor more than two weeks preceding the date fixed for the public
28 hearing. A sketch clearly delineating the area in sufficient detail to advise
29 the reader of the particular land proposed to be included within the STAR
30 bond project area shall be published with the resolution.

31 (3) At the public hearing, a representative of the city or county shall
32 present the city's or county's proposed STAR bond project plan. The
33 presentation shall include a discussion of the feasibility study, including a
34 description of all state, federal and local tax incentives that apply within
35 the STAR bond district or are anticipated to apply within the district
36 pursuant to the project plan or to any business located in the district or that
37 will locate in the district pursuant to the project plan. Following the
38 presentation of the STAR bond project area, all interested persons shall be
39 given an opportunity to be heard. The governing body for good cause
40 shown may recess such hearing to a time and date certain, which shall be
41 fixed in the presence of persons in attendance at the hearing.

42 (g) The public hearing records and feasibility study shall be subject to
43 the open records act, K.S.A. 45-215, and amendments thereto, and, if the

1 city or county has a website, shall be placed conspicuously on such
2 website at the same location or linked to the same location on the first
3 page of the website as the notice for the hearing.

4 (h) Upon conclusion of the public hearing, the governing body may
5 adopt the STAR bond project plan by ordinance or resolution passed upon
6 a two-thirds vote of the members.

7 (i) ~~After~~*Within 90 days of the adoption or modification* by the city or
8 county governing body of a STAR bond project plan; *and within 90 days*
9 *of the selling of the bonds:*

10 (1) The clerk of the city or county shall transmit a copy of the
11 description of the land within the STAR bond project district, a copy of the
12 ordinance or resolution adopting the plan and a map or plat indicating the
13 boundaries of the district to the clerk, appraiser and treasurer of the county
14 in which the district is located and to the governing bodies of the county
15 and school district which levy taxes upon any property in the district. ~~Such~~
16 ~~documents shall be transmitted following the adoption or modification of~~
17 ~~the plan or a revision of the plan on or before January 1 of the year in~~
18 ~~which the increment is first allocated to the taxing subdivision.~~

19 (j) ~~If the STAR bond project plan is approved,;~~

20 (2) the feasibility study shall be supplemented to include a copy of
21 the minutes of the governing body meetings of any city or county whose
22 bonding authority will be utilized in the STAR bond project, evidencing
23 that a STAR bond project plan has been created, discussed and adopted by
24 the city or county in a regularly scheduled open public meeting;

25 (3) *the city or county shall notify the residents thereof:*

26 (A) *That the STAR bond project plan has been adopted; and*

27 (B) *on a continuing basis, the amount of tax increment revenue*
28 *received under K.S.A. 12-17,169, and amendments thereto; and*

29 (4) *the secretary shall make the following information publicly*
30 *available on the department of commerce's website:*

31 (A) *The feasibility study;*

32 (B) *the STAR bond project plan;*

33 (C) *the financial guarantees of the prospective developer;*

34 (D) *on a continuing basis, any subsequent modified versions of the*
35 *information required by subparagraphs (A) through (C); and*

36 (E) *on a continuing basis, visitor data pursuant to subsection (n).*

37 ~~(k)~~(j) Any substantial changes as defined in K.S.A. 12-17,162, and
38 amendments thereto, to the STAR bond project plan as adopted shall be
39 subject to a public hearing following publication of notice thereof at least
40 twice in the official city or county newspaper.

41 ~~(k)~~(k) Any STAR bond project shall be completed within 20 years
42 from the date of the approval of the STAR bond project plan. The
43 maximum maturity on bonds issued to finance projects pursuant to this act

1 shall not exceed 20 years.

2 ~~(m)~~(l) Kansas resident employees shall be given priority
3 consideration for employment in construction projects located in a STAR
4 bond project area.

5 ~~(m)~~(m) Any developer of a STAR bond project shall commence work
6 on the project within two years from the date of adoption of the STAR
7 bond project plan. Should the developer fail to commence work on the
8 STAR bond project within the two-year period, funding for such project
9 shall cease and the developer of such project or complex shall have one
10 year to resubmit the project to the secretary and to appeal to the secretary
11 for reapproval of such project and the funding for it. Should the project be
12 reapproved, the two-year period for commencement shall apply.

13 (n) (1) *On and after July 1, 2026, all entities located in a STAR bond*
14 *district that use a point-of-sale system, including, but not limited to, any*
15 *nonprofit entity, shall collect visitor data entered at the point of sale and*
16 *transfer such data to the secretary on a quarterly basis. Any such data*
17 *shall:*

18 (A) *Be collected in an aggregate manner without personally*
19 *identifiable information; and*

20 (B) *include, but not be limited to, visitor residence zip code data,*
21 *including cash sales.*

22 (2) *The secretary shall make such visitor data publicly available on*
23 *the department's website within 90 days of being received by the secretary.*
24 *Such publicly available data shall include a calculation by the secretary of*
25 *the number of in-state and out-of-state visitors to the STAR bond project*
26 *each quarter.*

27 (3) *As used in this subsection, "point-of-sale system" means any*
28 *combination of a cash register, ledger or other device or system, such as a*
29 *scanner capable of recovering stored information related to visitor data*
30 *and the price or computing the price of any individual item that is sold or*
31 *offered for sale at retail.*

32 Sec. 5. K.S.A. 2024 Supp. 12-17,169 is hereby amended to read as
33 follows: 12-17,169. (a) (1) Any city or county shall have the power to
34 issue special obligation bonds in one or more series to finance the
35 undertaking of any STAR bond project in accordance with the provisions
36 of this act. Rural redevelopment projects, as defined in K.S.A. 12-17,162,
37 and amendments thereto, may also be financed without the issuance of
38 special obligation bonds up to an amount not to exceed \$10,000,000 for
39 each project. Such special obligation bonds or rural redevelopment project
40 costs shall be made payable, both as to principal and interest:

41 (A) From revenues of the city or county derived from or held in
42 connection with the undertaking and carrying out of any STAR bond
43 project or projects under this act including historic theater sales tax

1 increments;

2 (B) from any private sources, contributions or other financial
3 assistance from the ~~state or~~ federal government;

4 (C) from a pledge of 100% of the tax increment revenue received by
5 the city from any local sales and use taxes, including the city's share of any
6 county sales tax, which are collected from taxpayers doing business within
7 that portion of the city's STAR bond project district established pursuant to
8 K.S.A. 12-17,165, and amendments thereto, occupied by a STAR bond
9 project, except for amounts committed to other uses by election of voters
10 or pledged to bond repayment prior to the approval of the STAR bond
11 project;

12 (D) at the option of the county in a city STAR bond project district,
13 from a pledge of all of the tax increment revenues received by the county
14 from any local sales and use taxes which are collected from taxpayers
15 doing business within that portion of the city's STAR bond project district
16 established pursuant to K.S.A. 12-17,165, and amendments thereto, except
17 for amounts committed to other uses by election of voters or pledged to
18 bond repayment prior to the approval of a STAR bond project;

19 (E) in a county STAR bond project district, from a pledge of 100% of
20 the tax increment revenue received by the county from any county sales
21 and use tax, but excluding any portions of such taxes that are allocated to
22 the cities in such county pursuant to K.S.A. 12-192, and amendments
23 thereto, which are collected from taxpayers doing business within that
24 portion of the county's STAR bond project district established pursuant to
25 K.S.A. 12-17,165, and amendments thereto, occupied by a STAR bond
26 project;

27 (F) from a pledge of all or a portion of the tax increment revenue
28 received from any state sales taxes which are collected from taxpayers
29 doing business within that portion of the city's or county's STAR bond
30 project district occupied by a STAR bond project, except that for any
31 STAR bond project district established and approved by the secretary on or
32 after January 1, 2017, such tax increment shall not include any sales tax
33 revenue from retail automobile dealers, and except that for any STAR
34 bond project district established after July 1, 2021, with existing sales tax
35 revenue at the time the district was established, such pledge shall not
36 exceed 90% of the new tax increment revenue that is in excess of the base
37 existing sales tax revenue received from any state sales taxes;

38 (G) at the option of the city or county and with approval of the
39 secretary, from all or a portion of the transient guest tax of such city or
40 county;

41 (H) at the option of the city or county and with approval of the
42 secretary: (i) From a pledge of all or a portion of increased revenue
43 received by the city or county from franchise fees collected from utilities

1 and other businesses using public right-of-way within the STAR bond
2 project district; or (ii) from a pledge of all or a portion of the revenue
3 received by a city or county from local sales taxes or local transient guest
4 and local use taxes; or

5 (I) by any combination of these methods.

6 The city or county may pledge such revenue to the repayment of such
7 special obligation bonds prior to, simultaneously with, or subsequent to the
8 issuance of such special obligation bonds.

9 (2) (A) Special obligation bonds issued by a city or county to finance
10 a STAR bond project as defined in K.S.A. 12-17,162(aa)(2), and
11 amendments thereto, that has been approved by the secretary in
12 accordance with K.S.A. 2024 Supp. 12-17,181, and amendments thereto,
13 shall be made payable, both as to principal and interest, from a pledge of:

14 (i) Any method or combination of the methods described in
15 paragraph (1), except that tax increment revenue from sales taxes shall
16 include sales tax revenue from all retail sales of any business located
17 within the district and up to 100% of the new state sales tax increment
18 revenue that is in excess of the base sales tax revenue, as set in the
19 secretary's discretion, received from any state sales taxes. The city or
20 county shall have discretion to set the base sales tax revenue for local sales
21 and use taxes as approved by the secretary;

22 (ii) tax increment revenue from up to 100% of the taxes imposed on
23 the sale of alcoholic liquor, as defined in K.S.A. 79-41a01, and
24 amendments thereto, collected from sales within the district pursuant to
25 K.S.A. 79-4101 and 79-41a02, and amendments thereto; and

26 (iii) if approved by the secretary, moneys from the attracting
27 professional sports to Kansas fund of the department of commerce.

28 (B) As authorized by the secretary, the Kansas development finance
29 authority shall have the power to issue special obligation bonds in one or
30 more series to finance the undertaking of a STAR bond project as defined
31 in K.S.A. 12-17,162(aa)(2), and amendments thereto, that has been
32 established by a city or county and approved by the secretary of commerce
33 pursuant to K.S.A. 2024 Supp. 12-17,181, and amendments thereto, or
34 undertaken independently by the secretary pursuant to K.S.A. 12-17,164,
35 and amendments thereto, with or without the participation of the city or
36 county. Such special obligation bonds shall not be general obligations of
37 the state. Any such bonds and interest thereon shall be an obligation only
38 of the Kansas development finance authority and shall not constitute a debt
39 of the state of Kansas within the meaning of section 6 or 7 of article 11 of
40 the constitution of the state of Kansas and shall not pledge the full faith
41 and credit or the taxing power of the state of Kansas. Such special
42 obligation bonds shall be made payable, both as to principal and interest,
43 solely from:

1 (i) Tax increment revenue as determined in the secretary's discretion,
2 from up to 100% of state sales taxes, including state sales tax revenue
3 from all retail sales of any business located within the district;

4 (ii) tax increment revenue from up to 100% of the taxes imposed on
5 the sale of alcoholic liquor as defined in K.S.A. 79-41a01, and
6 amendments thereto, from sales within the district pursuant to K.S.A. 79-
7 4101 and 79-41a02, and amendments thereto;

8 (iii) if approved by the city or county, revenue from any of the other
9 methods or combination of methods as provided in subparagraph (A)(i);
10 and

11 (iv) if approved by the secretary, moneys from the attracting
12 professional sports to Kansas fund of the department of commerce.

13 (C) For purposes of this paragraph, "district" means the STAR bond
14 project district as defined in K.S.A. 12-17,162(cc)(2), and amendments
15 thereto. Revenues may be collected pursuant to this paragraph from
16 noncontiguous parcels of real estate and areas not being developed by a
17 STAR bond project as defined in subsection (aa)(2) within such STAR
18 bond project district.

19 (D) Any revenues that have been pledged to pay one or more STAR
20 bonds previously issued pursuant to this act shall be used first to satisfy
21 any remaining obligations of such bonds.

22 (3) Bonds issued under subsection (a)(1) or (a)(2)(A) shall not be
23 general obligations of the city or the county, nor in any event shall they
24 give rise to a charge against its general credit or taxing powers, or be
25 payable out of any funds or properties other than any of those set forth in
26 subsection (a)(1) or (a)(2)(A) and such bonds shall so state on their face.

27 (4) Bonds issued under the provisions of subsection (a)(1) or (a)(2)
28 (A) shall be special obligations of the city or county and are declared to be
29 negotiable instruments. Such bonds shall be executed by the mayor and
30 clerk of the city or the chairperson of the board of county commissioners
31 and the county clerk and sealed with the corporate seal of the city or
32 county. All details pertaining to the issuance of such special obligation
33 bonds and terms and conditions thereof shall be determined by ordinance
34 of the city or by resolution of the county.

35 All special obligation bonds issued pursuant to this act and all income
36 or interest therefrom shall be exempt from all state taxes. Such special
37 obligation bonds shall contain none of the recitals set forth in K.S.A. 10-
38 112, and amendments thereto. Such special obligation bonds shall,
39 however, contain the following recitals: (i) The authority under which such
40 special obligation bonds are issued; (ii) such bonds are in conformity with
41 the provisions, restrictions and limitations thereof; and (iii) that such
42 special obligation bonds and the interest thereon are to be paid from the
43 money and revenue received as provided in subsection (a)(1) and (a)(2).

1 (5) Any city or county issuing special obligation bonds under the
2 provisions of this act may refund all or part of such issue pursuant to the
3 provisions of K.S.A. 10-116a, and amendments thereto. If and as approved
4 by the secretary of commerce, the Kansas development finance authority
5 may refund all or part of any issue of special obligation bonds issued for a
6 project as defined in K.S.A. 12-17,162(aa)(2), and amendments thereto, by
7 the Kansas development finance authority under the provisions of this act
8 pursuant to the provisions of K.S.A. 74-8912, and amendments thereto,
9 and this act.

10 (6) *Under no circumstance shall state general fund moneys be*
11 *pledged for the repayment of any special obligation bond issued by a city*
12 *or county to finance a STAR bond project pursuant to subsection (a)(1) or*
13 *(a)(2).*

14 (b) (1) Subject to the provisions of subsection (b)(2), any city shall
15 have the power to issue full faith and credit tax increment bonds to finance
16 the undertaking, establishment or redevelopment of any major motorsports
17 complex, as defined in K.S.A. 12-17,162, and amendments thereto. Such
18 full faith and credit tax increment bonds shall be made payable, both as to
19 principal and interest: (A) From the revenue sources identified in
20 subsection (a)(1) or by any combination of these sources; and (B) subject
21 to the provisions of subsection (b)(2), from a pledge of the city's full faith
22 and credit to use its ad valorem taxing authority for repayment thereof in
23 the event all other authorized sources of revenue are not sufficient.

24 (2) Except as provided in subsection (b)(3), before the governing
25 body of any city proposes to issue full faith and credit tax increment bonds
26 as authorized by this subsection, the feasibility study required by K.S.A.
27 12-17,166(b), and amendments thereto, shall demonstrate that the benefits
28 derived from the project will exceed the cost and that the income
29 therefrom will be sufficient to pay the costs of the project. No full faith
30 and credit tax increment bonds shall be issued unless the governing body
31 states in the resolution required by K.S.A. 12-17,166(e), and amendments
32 thereto, that it may issue such bonds to finance the proposed STAR bond
33 project. The governing body may issue the bonds unless within 60 days
34 following the conclusion of the public hearing on the proposed STAR
35 bond project plan a protest petition signed by 3% of the qualified voters of
36 the city is filed with the city clerk in accordance with the provisions of
37 K.S.A. 25-3601 et seq., and amendments thereto. If a sufficient petition is
38 filed, no full faith and credit tax increment bonds shall be issued until the
39 issuance of the bonds is approved by a majority of the voters voting at an
40 election thereon. Such election shall be called and held in the manner
41 provided by the general bond law. The failure of the voters to approve the
42 issuance of full faith and credit tax increment bonds shall not prevent the
43 city from issuing special obligation bonds in accordance with this section.

1 No such election shall be held in the event the board of county
2 commissioners or the board of education determines, as provided in
3 K.S.A. 12-17,165, and amendments thereto, that the proposed STAR bond
4 project district will have an adverse effect on the county or school district.

5 (3) As an alternative to subsection (b)(2), any city which adopts a
6 STAR bond project plan for a major motorsports complex, but does not
7 state its intent to issue full faith and credit tax increment bonds in the
8 resolution required by K.S.A. 12-17,166(e), and amendments thereto, and
9 has not acquired property in the STAR bond project area may issue full
10 faith and credit tax increment bonds if the governing body of the city
11 adopts a resolution stating its intent to issue the bonds and the issuance of
12 the bonds is approved by a majority of the voters voting at an election
13 thereon. Such election shall be called and held in the manner provided by
14 the general bond law. The failure of the voters to approve the issuance of
15 full faith and credit tax increment bonds shall not prevent the city from
16 issuing special obligation bonds pursuant to subsection (a)(1). Any project
17 plan adopted by a city prior to the effective date of this act in accordance
18 with K.S.A. 12-1772, and amendments thereto, shall not be invalidated by
19 any requirements of this act.

20 (4) During the progress of any major motorsports complex project in
21 which the project costs will be financed, in whole or in part, with the
22 proceeds of full faith and credit tax increment bonds, the city may issue
23 temporary notes in the manner provided in K.S.A. 10-123, and
24 amendments thereto, to pay the project costs for the major motorsports
25 complex project. Such temporary notes shall not be issued and the city
26 shall not acquire property in the STAR bond project area until the
27 requirements of subsection (b)(2) or (b)(3), whichever is applicable, have
28 been met.

29 (5) Full faith and credit tax increment bonds issued under this
30 subsection shall be general obligations of the city and are declared to be
31 negotiable instruments. Such bonds shall be issued in accordance with the
32 general bond law. All such bonds and all income or interest therefrom shall
33 be exempt from all state taxes. The amount of the full faith and credit tax
34 increment bonds issued and outstanding which exceeds 3% of the assessed
35 valuation of the city shall be within the bonded debt limit applicable to
36 such city.

37 (6) Any city issuing full faith and credit tax increment bonds under
38 the provisions of this subsection may refund all or part of such issue
39 pursuant to the provisions of K.S.A. 10-116a, and amendments thereto.

40 (c) (1) For each project established by a city or county financed with
41 special obligation bonds payable from the revenues described in
42 subsection (a)(1) and (a)(2), the city or county shall prepare and submit to
43 the secretary by October 1 of each year, a report describing the status of

1 any projects within such STAR bond project area, any expenditures of the
2 proceeds of special obligation bonds that have occurred since the last
3 annual report and any expenditures of the proceeds of such bonds expected
4 to occur in the future, including the amount of sales tax revenue, how such
5 revenue has been spent, the projected amount of such revenue, the
6 anticipated use of such revenue and the names of the owners, partners,
7 officers or principals of any developer and of any associated business
8 partners of any developer that are involved in the STAR bond project. The
9 department of commerce shall compile this information and submit a
10 report annually to the governor and the legislature by February 1 of each
11 year.

12 (2) (A) In addition to the report referenced in paragraph (1), the
13 department of commerce, in cooperation with the department of revenue,
14 shall submit a report to the senate commerce committee and the house
15 commerce, labor and economic development committee by January 31 of
16 each session. The report shall include the following information for the last
17 three calendar years and the most current year-to-date information
18 available with respect to each STAR bond district:

19 (i) The gross annual sales, gross annual sales projected pursuant to
20 the STAR bond project plan and feasibility study, gross annual sales
21 required to meet bond debt service requirements and other expenses,
22 amount of sales tax collected and the amount of any "base" sales taxes
23 being allocated to the district;

24 (ii) the total amount of bond payments and other expenses incurred;

25 (iii) the total amount of bonds issued and the balance of the bonds, by
26 district and by project in the district;

27 (iv) the remaining cash balance in the project to pay future debt
28 service and other expenses;

29 (v) any new income producing properties being brought into a district
30 and the base revenue going to the state general fund and incremental sales
31 tax increases going to the district with respect to such properties;

32 (vi) the amount of bonds issued to repay private investors in the
33 project with calculations showing the private and state share of
34 indebtedness;

35 (vii) the percentage of local effort sales tax actually committed to the
36 district compared to the state's share of sales tax percentage committed to
37 the district;

38 (viii) the number of out-of-state visitors to a project and description
39 of the data gathered pursuant to the visitor tracking plan, including, but not
40 limited to, residence zip code data, a discussion of the visitor attraction
41 properties of projects in the districts, and a comparison of the number of
42 out-of-state visitors with the number of in-state visitors; and

43 (ix) if any information or data is not available, an explanation as to

1 why it is not available.

2 (B) Either the senate commerce committee or the house committee on
3 commerce, labor and economic development may amend the information
4 required in the report with additional requests and clarification on a going
5 forward basis.

6 (3) Cities, counties and developers shall provide all information
7 requested by the secretary for the secretary's database as provided by
8 K.S.A. 2024 Supp. 74-50,227, and amendments thereto. If the city or
9 county has a website, a conspicuous link directly to the information
10 pertaining to the city or county's STAR bond project on the secretary's
11 database shall be placed on the city's or county's website. A separate link
12 shall be provided for each STAR bond project of the city or county.

13 (d) The reports pursuant to subsection (c)(1) and (2) shall include a
14 description of all state, federal and local tax incentives that apply within
15 the STAR bond district or to any business located in the district.

16 (e) (1) A city or county may use the proceeds of special obligation
17 bonds or any uncommitted funds derived from sources set forth in this
18 section to pay the bond project costs as defined in K.S.A. 12-17,162, and
19 amendments thereto, to implement the STAR bond project plan.

20 (2) As authorized by the secretary, the Kansas development finance
21 authority may issue and use the proceeds of special obligation bonds to
22 pay the bond project costs as defined in K.S.A. 12-17,162, and
23 amendments thereto, to implement a STAR bond project plan for a project
24 as defined in K.S.A. 12-17,162(aa)(2), and amendments thereto.

25 (f) With respect to a STAR bond project district established prior to
26 January 1, 2003, for which, prior to January 1, 2003, the secretary made a
27 finding as provided in subsection (a) that a STAR bond project would
28 create a major tourism area for the state, such special obligation bonds
29 shall be payable both as to principal and interest, from a pledge of all of
30 the revenue from any transient guest, state and local sales and use taxes
31 collected from taxpayers as provided in subsection (a) whether or not
32 revenues from such taxes are received by the city.

33 Sec. 6. K.S.A. 12-17,172 is hereby amended to read as follows: 12-
34 17,172. ~~(a) Any city or county which has adopted a STAR bond project~~
35 ~~plan in accordance with the provisions of this act may purchase or~~
36 ~~otherwise acquire real property in connection with such project plan. Upon~~
37 ~~a ²/₃ vote of the members of the governing body thereof, a city or county~~
38 ~~may acquire by condemnation any interest in real property, including a fee~~
39 ~~simple title thereto, which it deems necessary for or in connection with any~~
40 ~~project plan of an area located within the project district; however, eminent~~
41 ~~domain may be used only as authorized by K.S.A. 26-501b, and~~
42 ~~amendments thereto.~~

43 Any such city or county may exercise the power of eminent domain in

1 ~~the manner provided by K.S.A. 26-501 et seq., and amendments thereto. In~~
2 ~~addition to any compensation or damages allowed under the eminent~~
3 ~~domain procedure act, such city or county shall also provide for the~~
4 ~~payment of relocation assistance as provided in K.S.A. 12-17,173, and~~
5 ~~amendments thereto~~ *No city or county shall exercise eminent domain*
6 *power to acquire real property for a STAR bond project.*

7 (b) Any real property *otherwise* acquired by a city or county ~~under~~
8 ~~the provisions of K.S.A. 26-501 et seq., and amendments thereto,~~ may be
9 sold, transferred or leased to a developer, in accordance with the STAR
10 bond project plan and under such other conditions as may be agreed upon.
11 Any real property acquired pursuant to this section that is sold, transferred
12 or leased to a project developer for a specific project shall be sold,
13 transferred or leased to such developer on the condition that such property
14 shall be used only for that specific approved project. If the developer does
15 not utilize the entire tract of the real property acquired pursuant to this
16 section that is sold, transferred or leased in accordance with the STAR
17 bond project plan, that portion of property not used shall not be sold,
18 transferred or leased by the developer to another developer party, but shall
19 be deeded back to the city or county. If the developer paid the city or
20 county for the land, a percentage of the original purchase price paid to the
21 city or county ~~which~~ *that* represents the percentage of the entire tract being
22 deeded back to the city or county shall be reimbursed to the developer
23 upon the deeding of the property back to the city or county.

24 (c) Any transfer by the project developer of real property acquired
25 pursuant to this section shall be valid only if approved by a $\frac{2}{3}$ majority
26 vote of the members of the governing body of ~~this~~ *the* city or county
27 *where such real property is located.*

28 Sec. 7. K.S.A. 12-17,179 is hereby amended to read as follows: 12-
29 17,179. (a) A city that created a redevelopment district in an eligible area
30 that was approved for STAR bonds prior to the effective date of this act for
31 the city of Manhattan Discovery Center on December 28, 2006, and the
32 Schlitterbahn project in Wyandotte county on December 23, 2005, may by
33 ordinance elect to have the provisions of this act applicable to such
34 redevelopment district.

35 (b) ~~Subject to the provisions of section 61(h) of chapter 5 of the 2020~~
36 ~~Session Laws of Kansas, The provisions of this act~~ *K.S.A. 12-17,160 et*
37 *seq., and amendments thereto,* regarding STAR bond projects shall expire
38 on and after July 1, ~~2026~~ *2028.*

39 Sec. 8. K.S.A. 12-17,160, 12-17,166, 12-17,172 and 12-17,179 and
40 K.S.A. 2024 Supp. 12-17,162 and 12-17,169 are hereby repealed.

41 Sec. 9. This act shall take effect and be in force from and after its
42 publication in the statute book.