

2023 Kansas Statutes

12-3923. City or county; acquisition of property and funds of special district; assumption of debt and other obligations. (a) Upon the dissolution of the special district, the city or county shall acquire the property of the special district subject to any leases or agreements duly and validly made by the district. The city or county shall be responsible for the payment or retirement of any special district debts or obligations. All property, funds and assets of the district shall be vested in the city or county.

(b) The city or county shall be the successor in every way to the powers, duties and functions of the special district. Every act performed in the exercise of such transferred powers, duties and functions by the city or county shall be deemed to have the same force and effect as if performed by the special district.

(c) Whenever the special district, or words of like effect, are referred to or designated by a contract or other document and such reference is in regard to any of the powers, duties and functions transferred to the city or county, such reference or designation shall be deemed to apply to the city or county as the context requires.

(d) The city or county shall have the legal custody of all records, memoranda, writings, entries, prints, representations, electronic data or combinations thereof of any act, transaction, occurrence or event of the special district.

(e) No suit, action or other proceeding, judicial or administrative, lawfully commenced, or that could have been commenced, by or against the special district prior to its dissolution or by or against any officer of the district, prior to its dissolution in such officer's official capacity or in relation to the discharge of such officer's official duties, shall abate by reason of the governmental reorganization effected under the provisions of this act. The court may allow any such suit, action or other proceeding to be maintained by or against the successor of the district or of any such officer.

History: L. 2021, ch. 16, § 3; July 1.