

STATE OF KANSAS

HOUSE OF REPRESENTATIVES

MR. CHAIRMAN:

I move to amend **HB 2249**, on page 1, following line 16, by inserting:

"Sec. 2. K.S.A. 19-3631 is hereby amended to read as follows: 19-3631. (a) Territory which is a part of a fire district ~~having territory in more than one county as permitted and~~ organized in accordance with the provisions of K.S.A. 19-3624 ~~to 19-3630 et seq.~~, and amendments thereto, may be detached ~~therefrom~~ as herein provided. ~~Upon presentation~~ Shall be presented of a petition to the governing body of the fire district, setting forth the boundaries of an area within the district which desires to be detached from the fire district, signed by not less than 51% of the qualified electors of such area, as determined by an enumeration taken and verified for such purpose by the county election officer of the county in which the territory proposed to be detached is located. ~~In addition, written documentation from another fire district that such territory will be included in such fire district if the detachment petition is granted and presentation or documentation that such qualified electors plan to form a new fire district shall be presented.~~ The governing body of such fire district may, ~~at its next regular meeting~~ within 30 days of the presentation of the petition and other documentation, if it finds the petition ~~is regular~~ to be sufficient with at least the requisite number of signatures, enter an order detaching ~~such the~~ territory from the fire district, ~~such the~~ order to be effective on the first January 1 ~~of the succeeding year that is six or more months after the date of the order~~. Thereupon, the governing ~~board~~ body shall declare the new boundaries of the ~~benefit fire~~ district by resolution and shall certify a copy of such resolution to the county clerks of each of the counties in which a part of the ~~benefit fire~~ district is located.

(b) If the governing body of such fire district does not approve the detachment of the territory

within 30 days of the presentation of the petition, the board of county commissioners of each county in which any of the territory is located, if it finds the petition is sufficient with at least the requisite number of signatures, shall submit the issue to a vote of the electors of the territory desired to be detached. The board of county commissioners shall, within 30 days of the governing body's failure or refusal to detach the territory, adopt a resolution calling for an election to be held within 60 days or within 90 days if a regular election is already scheduled. If a regular election is not already scheduled, the election may be held by mail ballot election pursuant to K.S.A. 25-421 et seq., and amendments thereto. The resolution calling for the election shall be published once each week for three consecutive weeks in the official county newspaper. If a majority of the electors of the territory proposed to be detached vote in favor of the detachment, the board of county commissioners of each county in which any such territory is located shall adopt a resolution ordering such detachment of the territory within its county, the order to be effective on the first January 1 that is six or more months after the election. Thereupon, the board of county commissioners shall certify a copy of the resolution to the governing body of the fire district, if different than the board of county commissioners, and to the county clerks of each of the counties in which a part of the fire district is located.

(c) The territory detached from the fire district shall be liable for its proportionate share of all outstanding indebtedness of the district on the date the resolution is passed by the governing-board body detaching the territory. The governing body of the fire district shall determine all outstanding indebtedness, including lease-purchase agreements, within 90 days of the detachment of the territory. Subsequent budgets of the fire district shall separately itemize payments of such outstanding indebtedness, including lease-purchase agreements, and such payment shall be separately levied between the detached territory and the territory remaining in the fire district according to their respective assessed valuations."

And by renumbering sections accordingly;

Also on page 1, in line 17, after "K.S.A." by inserting "19-3631 and K.S.A."; also in line 17, by striking "is" and inserting "are";

On page 1, in the title, in line 1, by striking "city annexation of"; also in line 1, by striking "district lands and taxation" and inserting "districts"; in line 2, following "amending" by inserting "K.S.A. 19-3631 and"; also in line 2, by striking "section" and inserting "sections"

_____ District.