

SESSION OF 2013

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2249

As Amended by Senate Committee on Ethics,
Elections and Local Government

Brief*

HB 2249 would permit a landowner to receive a property tax refund for fire services for any year when the property was not detached from a fire district after the property had been annexed by a city.

The refund would be paid by either the city or the fire district, whichever entity levied tax for fire service but did not provide the service.

The bill would specify that property taxes paid for general obligation bonds issued by a fire district prior to annexation would not be eligible for refund.

Background

A representative of Johnson County Fire District No. 2 testified in support of the bill in the House Committee on Local Government. He explained the bill would eliminate "double taxation" on property annexed by a city, while providing necessary assurance to bond holders that a fire district would be able to repay its bonds.

There was no neutral testimony or testimony in opposition to the bill.

The House Committee of the Whole amended the bill to insert the modified contents of 2013 HB 2062, which dealt

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

with detachment procedures for fire districts with territory in more than one county. The modifications contained in the amendment included requiring the petition to be signed by at least 51 percent of electors and specifying that indebtedness included lease-purchase agreements.

The Senate Committee on Ethics, Elections and Local Government heard proponent testimony from a Douglas County commissioner who lives in an area where residents wish to detach from a fire district that includes parts of two counties. He testified the fire district has refused to allow the Douglas County area to detach and use closer fire services, and the bill would provide a remedy. Opponent testimony was given by a representative of the Kansas State Firefighters Association, who raised concerns about the consequences of the detachment procedure proposed in the bill.

The Senate Committee on Ethics, Elections and Local Government amended the bill to remove the House Committee of the Whole amendment regarding detachment procedures (the modified contents of 2013 HB 2062).

The fiscal note submitted by the Division of the Budget for the introduced version of HB 2249 indicates the League of Kansas Municipalities believes the bill could increase costs for Kansas cities. However, because the League does not know how many annexations would or will be affected by the bill and how often annexed property does not get detached from a fire district, it is unable to estimate the costs associated with the bill.