

HOUSE BILL No. 2719

By Committee on Taxation

3-8

Balloon Amendments
House Committee on Taxation
January 1, 2017, effective date

1 AN ACT concerning local government; relating to certain taxing
2 jurisdictions, approval of bonds, tax levies by electors or elected
3 bodies; amending K.S.A. 3-114, [12-1220, 12-1234, 12-1267, 12-1270,
4 12-1276] 12-1688, [13-13418, 13-13423] 19-3557, 19-3617, 19-3622,
5 27-322, 27-333, 80-1520 and 80-1548 and K.S.A. 2015 Supp. 12-1288,
6 12-1927, 12-1928, 12-1936, 27-323 [and 75-255] and repealing the
7 existing sections.
8

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

10 ~~New Section 1. (a) The legislature hereby declares that the intent of~~
11 ~~this act is to empower the citizens of Kansas with a means to control the~~
12 ~~amount of property taxes levied against real and personal property by~~
13 ~~requiring any such taxes to be levied or approved by an elected body.~~

14 ~~(b) Notwithstanding any other provision of law to the contrary, no~~
15 ~~taxes may be levied against real and personal property and no bonds may~~
16 ~~be issued unless the governing body of the taxing jurisdiction has been~~
17 ~~elected or the levy or bond issuance has been approved by a majority of~~
18 ~~the electors of such taxing jurisdiction or by the governing body which~~
19 ~~certifies the budget of such taxing jurisdiction. The provisions of this~~
20 ~~section shall not apply to any taxes levied pursuant to K.S.A. 76-6001 and~~
21 ~~76-6004 and K.S.A. 2015 Supp. 72-6470, and amendments thereto.~~

22 Sec. 2. K.S.A. 3-114 is hereby amended to read as follows: 3-114. (a)
23 Except as provided in subsection (b), in any city having a population of
24 more than ~~sixty-five thousand (65,000)~~ 65,000 in which a board of park
25 commissioners has been established pursuant to K.S.A. 13-1346, and
26 ~~amendments thereto~~, all powers, jurisdiction and control over municipal
27 airports or municipal fields for aviation purposes otherwise vested in the
28 governing body of such city shall be vested in such board of park
29 commissioners. Such board of park commissioners is hereby authorized to
30 issue, as provided by law, general bonds of the city for the purpose of
31 purchasing, leasing, developing and equipping municipal airports and
32 fields for aviation purposes. Such board of park commissioners is hereby
33 ~~further authorized to may levy an annual tax not exceeding one-half (1/2)~~
34 ~~0.5 mill~~ for the support, maintenance and operation of municipal airports
35 or fields for aviation purposes. *Before issuing bonds or levying any such*
36 *tax pursuant to this section, the board shall submit the proposed bond*

and by renumbering sections accordingly

1 members who shall represent, as nearly as may be possible, the
2 geographical areas in such consolidated area. Members of the governing
3 body first appointed shall be appointed as follows: Two for a term of one
4 year; two for a term of two years; and three for a term of three years.
5 Thereafter all members shall be appointed for a term of three years. All
6 vacancies on such board shall be filled by appointment for the remainder
7 of the unexpired term. Members of the governing body shall receive no
8 compensation for their services but shall be allowed their actual expenses
9 incurred in the performance of their official duties.

10 ~~Within thirty (30) 30~~ days after the governing body is appointed and
11 annually thereafter the governing body shall meet and organize by the
12 election from its membership of a chairperson, vice-chairperson and a
13 secretary and treasurer. The secretary and treasurer shall each give a
14 corporate surety bond, conditioned for the faithful performance of duty
15 and accounting for all money coming into their hands by virtue of such
16 position. Such bonds shall be approved and be in an amount fixed by the
17 governing body.

18 The governing body of such consolidated district ~~shall have authority to~~
19 ~~may~~ levy taxes and special assessments as provided by law, ~~to enter into~~
20 ~~contracts, to acquire by lease or purchase and to operate and maintain fire~~
21 ~~fighting equipment, and to acquire or construct buildings to house the~~
22 ~~same and to do all things necessary to effectuate the purposes of this act~~
23 ~~except that no tax or special assessment shall be levied by such governing~~
24 ~~body without first having been submitted to and having been approved by~~
25 ~~the board of county commissioners. In addition to the powers provided for~~
26 ~~in this section, the governing body shall have any powers granted to a fire~~
27 ~~district under K.S.A. 80-1514a, and amendments thereto.~~

28 The governing body of such consolidated district is authorized to make
29 an annual levy of taxes upon the taxable property located within the
30 consolidated fire district in an amount approved by the board of county
31 commissioners ~~but not to exceed seven mill.~~

32 The governing body of any district shall also have the authority to issue
33 general obligation bonds and no-fund warrants under the provisions of
34 K.S.A. 80-1514b, *and amendments thereto*.

35 Sec. 24. K.S.A. 3-114, ~~[12-1220, 12-1234, 12-1267, 12-1270, 12-~~
36 ~~1276] 12-1688, [13-1341, 13-1342, 13-1343] 19-3557, 19-3617, 19-3622, 27-322,~~
37 ~~27-333, 80-1520 and 80-1548 and K.S.A. 2015 Supp. [12-1284] 12-1927,~~
38 ~~12-1928, 12-1936, 27-323, and 25-255] are hereby repealed.~~

39 Sec. 25. This act shall take effect and be in force from and after its
40 publication in the statute book.

and

January 1, 2017, and