

SESSION OF 2015

SUPPLEMENTAL NOTE ON SENATE BILL NO. 244

As Amended by Senate Committee of the Whole

Brief*

SB 244 would clarify provisions dealing with the publication of budgets of taxing bodies. The bill would:

- Change the requirement regarding notice of a vote by the governing body of any municipality. Instead of requiring notice of such vote be published in the official county newspaper where the municipality is located with no deadline specified, the bill would mandate the notice be published within 30 days following the adoption of the budget in the official weekly or daily newspaper of the county which has general circulation in the county, unless the municipality is located in more than one county. In that case, the notice would be published in an official weekly or daily newspaper in each county containing at least 5 percent of the total appraised value (AV) of real property in that municipality and in each county in which 15 percent of the total AV is subject to taxation, and for at least ten days on the official website of each county having territory in the municipality or, in the absence thereof, on a website designated by the Secretary of Administration;
- Add a requirement that the vote on the budget be published with detail as to how each member voted, *i.e.*, by yeas, nays, and passes; and

*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>

- Add a requirement relating to notice of the budget hearing wherein taxpayers may ask questions and voice objections. A taxing or political subdivision or municipality located in more than one county would be required to give at least ten days' notice of the meeting in an official, general circulation, weekly or daily newspaper and for at least ten days on the official county website of each county having territory in the municipality or on a website designated by the Secretary of Administration, if there is no such official county website.

Background

The bill was introduced by the Senate Committee on Ways and Means. Testifying in favor of the bill before the Senate Committee on Local Government were representatives of the League of Kansas Municipalities and the Department of Administration. Written proponent testimony was received from the Allen County Clerk. Proponent testimony indicated the primary change was that of notice for multi-county municipalities. They testified the changes would reduce publication costs for municipalities that are multi-county taxing units and would add consistency in publication requirements. There was no neutral or opponent testimony.

The Senate Committee amended the bill to require information on how each member of the governing body voted on the budget, and to require publication on all official county websites when a municipality crosses county lines.

The Senate Committee of the Whole amended the bill, as follows:

- Specify the newspaper(s) in which notices are published would be official newspapers;

- Specify further, for the notice of a vote by the governing body, the counties that must publish the notices as those containing specific proportions of AV when a municipality is located in more than one county;
- Require “pass” votes be recorded; and
- Make technical changes.

The fiscal note prepared by the Division of the Budget on the bill, as introduced, indicates enactment of the bill would reduce the publication and cost requirements of municipalities that have assessed valuation in multiple counties. The Department of Administration estimates the number of municipalities affected by the bill would be limited; however, Department officials indicated the savings to those municipalities would be significant.