

February 24, 2020

The Honorable Kent Thompson, Chairperson  
House Committee on Local Government  
Statehouse, Room 187C-N  
Topeka, Kansas 66612

Dear Representative Thompson:

**SUBJECT:** Fiscal Note for HB 2581 by Representative Dove

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2581 is respectfully submitted to your committee.

HB 2581 would require the initiating governing body of any city or county that proposes to enter into an interlocal cooperation agreement with a city or county regarding a city establishing extraterritorial zoning or subdivision regulations to hold a public hearing on the proposed agreement. The bill would require a notice of the public hearing to be published by the initiating governing body at least once in the official county newspaper that includes the time and place for the hearing and a description of the proposal in general terms. The bill would also require the initiating governing body to mail a written notice of the proposed interlocal cooperation agreement to all owners of record in the area where the proposed extraterritorial zoning or subdivision regulations would be applied at least 20 days prior to the hearing. The bill would clarify that the initiating governing body must mail a copy of the notice to all owners of record in an unincorporated area if any proposed subdivision regulations involve land in any unincorporated area.

Within ten days following the passage of an ordinance by a city adopting extraterritorial zoning or an ordinance adopting extraterritorial subdivision regulations the city clerk would be required to certify to the county election officer a legal description and a map of the area outside the corporate limits of the city proposed to be regulated by extraterritorial zoning or subdivision regulations and the addresses of all qualified electors. The county election officer would be required to conduct a mail ballot election within 60 days of such certification. If a majority of qualified electors vote against coverage by extraterritorial zoning or subdivision regulations, the ordinance adopting the extraterritorial zoning or subdivision regulations would not become effective.

The Kansas Association of Counties indicates that enactment of HB 2581 would increase costs associated with notifications sent to property owners and could increase costs to counties for the amount of litigation surrounding these types of projects; however, an estimate cannot be determined as the number of property owners that may be affected is unknown. The League of Kansas Municipalities indicates the bill would increase costs to cities for mailing and publication, but the cost would vary by city.

Sincerely,

A handwritten signature in cursive script that reads "L. L. Campbell".

Larry L. Campbell  
Director of the Budget

cc: Trey Cocking, League of Municipalities