

**HOUSE BILL No. 2213**

By Committee on Local Government

2-3

1 AN ACT concerning townships; relating to the purchase of property and  
2 construction of buildings; amending K.S.A. 80-104 and repealing the  
3 existing section.  
4

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

6 Section 1. K.S.A. 80-104 is hereby amended to read as follows: 80-  
7 104. (a) In addition to all other powers, the township board of each  
8 township shall have power to acquire land for the township, and to build  
9 thereon permanent buildings, or to purchase school building or grounds or  
10 both the building and grounds ~~the same~~ to be used for public purposes,  
11 such as meetings relating to township business, political gatherings,  
12 township fairs, entertainments, whether for free use or for hire and profit,  
13 at which an admission price may be charged, and such other meetings as  
14 may be authorized by the township board. The board may join with any  
15 corporation, association, society or lodge in the construction or purchase  
16 of such building, upon ~~such~~ terms and conditions as may be agreed upon  
17 by the board and corporation, association, society or lodge. If ~~such~~ the  
18 building is so constructed or purchased it shall be for the joint use of the  
19 township and the corporation, association, society or lodge joining in the  
20 construction or purchase thereof upon ~~such~~ terms and conditions as are  
21 mutually agreed upon.

22 (b) Except as provided by subsection ~~(b)~~ (c), the board shall not  
23 acquire any land or erect buildings thereon or purchase such schoolhouse  
24 or appropriate any of the moneys of the township or levy any tax therefor  
25 without first ~~submitting the question to a vote of the electors of the~~  
26 ~~township~~ publishing a notice in the official county newspaper of a public  
27 hearing on the issue. The notice shall be published at least 20 days prior  
28 to the hearing. Following the hearing, the township board may adopt a  
29 resolution authorizing the purchase of such land and building or  
30 construction of the building. The resolution shall be published in the  
31 official county newspaper. If within 45 days following such publication, a  
32 protest petition signed by 10% of the qualified electors of the township is  
33 presented to the county clerk, the question of purchasing such property  
34 shall be submitted to the township electors. Such election shall be  
35 governed by ~~and the returns thereof made in accordance with~~ the laws  
36 governing the election of township officers. Funds authorized by such

1 election may be used in the joint construction or purchase of a building-as  
2 herein provided.

3 ~~(b)~~(c) The township board may acquire, either by purchase or by  
4 lease, not to exceed 10 acres of land for the township. The cost of such  
5 land may be paid out of the general fund of the township or from the  
6 general road fund of the township, ~~or from either or both of the funds.~~

7 (d) The township board may accept land in the form of a gift,  
8 donation or devise without first submitting the question to a vote of the  
9 electors of the county.

10 (e) *Any township that has acquired land and wants to construct a*  
11 *building or buildings shall be subject to the protest petition and election*  
12 *procedure provided in subsection (b).*

13 ~~(e)~~(f) Whenever any township is authorized ~~by virtue of an election~~ to  
14 construct or purchase township buildings, general obligation bonds may be  
15 issued for such purpose in accordance with the provisions of the general  
16 bond law.

17 Sec. 2. K.S.A. 80-104 is hereby repealed.

18 Sec. 3. This act shall take effect and be in force from and after its  
19 publication in the statute book.