

As Amended by House Committee

*{As Amended by Senate Committee of the Whole}*

Session of 2021

SENATE BILL No. 90

By Committee on Commerce

1-28

1 AN ACT concerning the Kansas rural housing incentive district act;  
2 *{amending the definition of "city";}* permitting the use of bond  
3 proceeds for vertical renovations of certain buildings for residential  
4 purposes; amending K.S.A. 12-5249 *{and K.S.A. 2020 Supp. 12-5242}*  
5 and repealing the existing section *{sections}*.  
6

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

8 *{Section 1. K.S.A. 2020 Supp. 12-5242 is hereby amended to read as*  
9 *follows: 12-5242. Except as otherwise provided, as used in K.S.A. 12-*  
10 *5241 through 12-5251 and K.S.A. 2020 Supp. 12-5252 through 12-5258,*  
11 *and amendments thereto, the following words and phrases shall have the*  
12 *following meanings unless a different meaning clearly appears from the*  
13 *context:*

14 (a) *"City" means any city incorporated in accordance with Kansas*  
15 *law with a population of less than 60,000* ~~in a county with a population of~~  
16 ~~less than 80,000~~, *as certified to the secretary of state by the director of*  
17 *the division of the budget on the previous July 1 in accordance with*  
18 *K.S.A 11-201, and amendments thereto.*

19 (b) *"City housing authority" means any agency of a city created*  
20 *pursuant to the municipal housing law, K.S.A. 17-2337 et seq., and*  
21 *amendments thereto.*

22 (c) *"Corporation" means the Kansas housing resources*  
23 *corporation.*

24 (d) *"County" means any county organized in accordance with*  
25 *K.S.A. 18-101 et seq., and amendments thereto, with a population of less*  
26 *than ~~60,000~~ 80,000, as certified to the secretary of state by the director of*  
27 *the division of the budget on the previous July 1<sup>st</sup> in accordance with*  
28 *K.S.A 11-201, and amendments thereto.*

29 (e) *"Developer" means the person, firm or corporation responsible*  
30 *under an agreement with the governing body to develop housing or*  
31 *related public facilities in a district.*

32 (f) *"District" means a rural housing incentive district established*  
33 *in accordance with this act.*

34 (g) *"Governing body" means the board of county commissioners of*

1 *any county or the mayor and council, mayor and commissioners or*  
2 *board of commissioners, as the laws affecting the organization and*  
3 *status of cities affected may provide.*

4 *(h) "Housing development activities" means the construction or*  
5 *rehabilitation of infrastructure necessary to support construction of new*  
6 *residential dwellings and the actual construction of such residential*  
7 *dwellings, if such construction is conducted by a city housing authority.*

8 *(i) "Secretary" means the secretary of commerce of the state of*  
9 *Kansas.*

10 *(j) "Real property taxes" means and includes all taxes levied on an*  
11 *ad valorem basis upon land and improvements thereon.*

12 *(k) "Taxing subdivision" means the county, the city, the unified*  
13 *school district, and any other taxing subdivision levying real property*  
14 *taxes, the territory or jurisdiction of which includes any currently*  
15 *existing or subsequently created rural housing incentive district.}*

16 ~~Section 1.~~ *{Sec. 2.}* K.S.A. 12-5249 is hereby amended to read as  
17 follows: 12-5249. (a) Any city or county which has established a rural  
18 housing incentive district may use the proceeds of special obligation bonds  
19 issued under K.S.A. 12-5248, and amendments thereto, or any  
20 uncommitted funds derived from those sources of revenue set forth in  
21 ~~paragraph (1) of subsection (a) of K.S.A. 12-5248(a)(1), and amendments~~  
22 *thereto, to implement specific projects identified within the rural housing*  
23 *incentive district plan including, without limitation:*

24 (1) Acquisition of property within the specific project area or areas as  
25 provided in K.S.A. 12-5247, *and amendments thereto;*

26 (2) payment of relocation assistance;

27 (3) site preparation;

28 (4) sanitary and storm sewers and lift stations;

29 (5) drainage conduits, channels and levees;

30 (6) street grading, paving, graveling, macadamizing, curbing,  
31 guttering and surfacing;

32 (7) street lighting fixtures, connection and facilities;

33 (8) underground gas, water, heating, and electrical services and  
34 connections located within the public right-of-way;

35 (9) sidewalks; ~~and~~

36 (10) water mains and extensions; *and*

37 (11) *renovation of buildings or other structures more than 25 years of*  
38 *age primarily for residential use located in a central business district as*  
39 *approved by the secretary of commerce. Certification of the age of the*  
40 *building or other structure shall be submitted to the secretary by the*  
41 *governing body of the city or county with the resolution as provided by*  
42 *K.S.A. 12-5244, and amendments thereto. Eligible residential*  
43 *improvements shall include only improvements made to the second or*

1 *higher floors of a building or other structure. Improvements for*  
2 *commercial purposes shall not be eligible.*

3 (b) None of the proceeds from the sale of special obligation bonds  
4 issued under K.S.A. 12-5248, *and amendments thereto*, shall be used for  
5 the construction of buildings or other structures to be owned by or to be  
6 leased to any developer of a residential housing project within the district,  
7 *except for buildings or other structures located in a central business*  
8 *district as approved by the secretary of commerce.*

9 ~~Sec. 2: {3.}~~ K.S.A. 12-5249 ~~is~~ *{and K.S.A. 2020 Supp. 12-5242 are}*  
10 hereby repealed.

11 ~~Sec. 3: {4.}~~ This act shall take effect and be in force from and after its  
12 publication in the statute book.