

SESSION OF 2020

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2441

As Amended by House Committee on Taxation

Brief*

HB 2441, as amended, would authorize all cities and school districts to establish community historical museums and levy property taxes of up to one mill. Current law provides such authority only to cities of the third class located in two counties and to those school districts located in cities of the third class located in two counties.

The bill would authorize cities and school districts receiving petitions signed by qualified voters calling for formation of community historical museums to evaluate the sustainability of the proposed museums prior to placing the question on the ballot. Current law mandates the governing bodies place the formation question on the ballot upon receipt of a valid petition.

The bill would also authorize cities and school districts receiving formation petitions to determine whether any local museums currently in existence could successfully fulfill the community historical museum purposes outlined in law and, if so, place an alternative election question on the ballot regarding cooperation with the existing museums. If any such election questions were to be adopted by voters, the cities and school districts would be required to annually audit the use of funds and immediately terminate property tax levies upon a finding that the revenues were not being used for the appropriate community historical museum purposes. Moreover, any local museum found to be using public funds in bad faith would be required to reimburse the governing bodies.

*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>

Background

The bill was introduced by the House Committee on Taxation at the request of Representative Mason.

In the public hearing on January 22, Representative Mason appeared as a proponent, as did the Mayor of McPherson and the McPherson Museum and Arts Foundation Executive Director. Written-only proponent testimony was submitted by the McPherson USD 418 School Board President. A representative of the League of Kansas Municipalities (League) provided written-only neutral testimony suggesting several amendments.

On February 12, the House Committee adopted a package of amendments recommended by the League relating to giving cities and schools the ability to evaluate sustainability of proposed museums prior to holding elections; hold elections on alternative questions regarding cooperation agreements with existing local museums; and terminate any such agreements upon a finding that property taxes were not being used for the appropriate purposes.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the bill would not be expected to have any state impact, but the League of Kansas Municipalities indicates the bill would increase from 10 to 625 cities the number of cities authorized to levy up to one mill of property taxes for community historical museum purposes.