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3 **As Amended by House Committee**

4 *Session of 2002*

5
6 **HOUSE BILL No. 2787**

7
8 By Committee on Local Government

9
10 2-6

11
12 AN ACT concerning certain municipalities; relating to recreation sys-
13 tems; amending K.S.A. 12-1922 and repealing the existing section.
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15 *Be it enacted by the Legislature of the State of Kansas:*

16 Section 1. K.S.A. 12-1922 is hereby amended to read as follows: 12-
17 1922. When used in this act:

18 (a) "City" means any city in the state of Kansas;

19 (b) "School district" means any unified school district in the state of
20 Kansas;

21 (c) "Recreation system" means any system of public recreation and
22 playgrounds established pursuant to this act, ~~and~~.

23 (d) "Taxing district" means (1) the area within the corporate limits of
24 a city in the case of a city-established recreation system; (2) *subject to the*
25 *provisions of section 2, and amendments thereto*, the area within the
26 boundary lines of a school district in the case of a school district-estab-
27 lished recreation system; or (3) *subject to the provisions of section 2, and*
28 *amendments thereto*, the area within the corporate limits of a city or the
29 area within the boundary lines of a school district, whichever has the
30 greater assessed valuation, in the case of a jointly established recreation
31 system.

32 ~~New Sec. 2. Unless the boundaries are expanded as provided by sec-~~
33 ~~tion 3, and amendments thereto, whenever a school district which has~~

34 ~~**New Sec. 2. (a) When used in this section:**~~

35 ~~—(1) "School district" means Lyons U.S.D. No. 405 and Lorraine~~
36 ~~U.S.D. No. 328.~~

37 ~~—(2) "Qualified voter" means a registered voter of a school dis-~~
38 ~~trict who is a resident of that portion of such school district which~~
39 ~~is not included in the taxing district of a recreation system follow-~~
40 ~~ing the consolidation of such school district with a school district~~
41 ~~which has established a recreation system or which is a part of a~~
42 ~~joint recreation system.~~

43 ~~—(b) (1) Unless the boundaries are expanded as provided by this~~

~~subsection, whenever a school district which has established a recreation system or which is part of a joint recreation system established under K.S.A. 12-1922 *et seq.*, and amendments thereto, consolidates with another school district which has not established a recreation system or which is not a part of a joint recreation system, the “taxing district” of the recreation system shall mean the area of the taxing district as it existed on the day immediately preceding the effective date of the consolidation of the school districts.~~

[New Sec. 2. Unless the boundaries of a taxing district are expanded as provided by section 3, and amendments thereto, whenever a school district which has established a recreation system or

which is part of a joint recreation system established under K.S.A. 12-1922 *et seq.*, and amendments thereto, consolidates with another school district which has not established a recreation system or which is not a part of a joint recreation system, the “taxing district” of the recreation system shall mean the area of the taxing district as it existed on the day immediately preceding the effective date of the consolidation of the school districts.

[New Sec. 3. (a) The provisions of this section shall apply only to those recreation systems with taxing districts as defined in section 2, and amendments thereto.]

~~New Sec. 3.—(a) The provisions of this section shall apply only to those recreation systems with taxing districts as defined in section 2, and amendments thereto.~~

~~(b) (2) [(b)] Whenever a petition signed by at least 5% of the qualified voters of a school district of which only a portion is included within the taxing district of a recreation system is filed with the clerk thereof, requesting the governing body of the school district to extend the boundaries of the taxing district to be coterminous with the boundaries of the school district, the governing body of the school district shall submit the question to the qualified voters thereof. Such election shall be called and held in the manner provided by the general bond law, and the cost of the election shall be borne by such school district.~~

~~(c) [(c)] The governing body of any school district may initiate the extension of the boundaries of the taxing district to be coterminous with the boundaries of the school district by adopting a resolution proposing to extend the boundaries of the taxing district. The proposal shall be submitted for approval by the voters of the school district, at an election called and held in the manner provided by the general bond law, and the cost of the election shall be borne by the school district.~~

~~(d) (4) [(d)] Upon approval of the proposition by a majority of those voting on it at the election, the governing body of the school district, by appropriate resolution, shall provide for the extension of the taxing district to be coterminous with the boundaries of the school district.~~

~~(e) When used in this section, “qualified voter” means a registered voter of a school district who is a resident of that portion of such school district which is not included in the taxing district of a recreation system following the consolidation of such school district with a school district which has established a recreation system or which is a part of a joint recreation system.~~

1 — New Sec. 4. — (a) The provisions of this section shall apply only to those
2 recreation systems with taxing districts as defined in section 2, and
3 amendments thereto.

4 [(e) When used in this section, “qualified voter” means a reg-
5 istered voter of a school district who is a resident of that portion
6 of such school district which is not included in the taxing district
7 of a recreation system following the consolidation of such school
8 district with a school district which has established a recreation
9 system or which is a part of a joint recreation system.]

10 (b) (1) — Whenever a petition signed by at least 5% of the qualified
11 voters of a school district of which only a portion is included within the
12 taxing district of a recreation system or by at least 5% of the qualified
13 electors of a city located in any such school district is filed with the clerk
14 thereof, requesting the governing body of the school district or city to
15 establish a recreation system and to levy an annual tax not to exceed one
16 mill for such recreation system and to pay a portion of the principal and
17 interest on bonds issued pursuant to K.S.A. 12-1774, and amendments
18 thereto, the governing body of the school district or city shall submit the
19 question to the qualified voters thereof. Such election shall be called and
20 held in the manner provided by the general bond law, and the cost of the
21 election shall be borne by such school district or city.

22 — (c) (2) — The governing body of any school district described in **para-**
23 **graph (1) of this** subsection (b) or any city located in such school district
24 may initiate the establishment of a recreation system and the levy of an
25 annual tax not to exceed one mill for such recreation system and to pay
26 a portion of the principal and interest on bonds issued pursuant to K.S.A.
27 12-1774, and amendments thereto. The proposal shall be submitted for
28 approval by the voters of the school district or city, at an election called
29 and held in the manner provided by the general bond law, and the cost
30 of the election shall be borne by the school district or the city.

31 — (d) (3) — Upon approval of the proposition by a majority of those voting
32 on it at an election called pursuant to this section, the governing body of
33 the school district or city, by appropriate resolution, shall provide for the
34 establishment, maintenance and conduct of such recreation system and
35 shall appoint a recreation commission as provided by K.S.A. 12-1926, and
36 amendments thereto. Any recreation commission appointed pursuant to
37 this section shall have the same powers and duties of a recreation com-
38 mission appointed pursuant to K.S.A. 12-1926, and amendments thereto.

39 — (e) — When used in this section, “qualified voter” means a registered
40 voter of a school district who is a resident of that portion of such school
41 district which is not included in the taxing district of a recreation system
42 following the consolidation of such school district with a school district
43 which has established a recreation system or which is a part of a joint

1 ~~recreation system.~~

2 Sec. ~~5-3~~ [4.] K.S.A. 12-1922 is hereby repealed.

3 Sec. ~~6-4~~ [5.] This act shall take effect and be in force from and after
4 its publication in the statute book.

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