

SESSION OF 2009

**SUPPLEMENTAL NOTE ON
HOUSE SUBSTITUTE FOR SENATE BILL NO. 257**

As Amended by House Committee of the Whole

Brief*

House Sub. for SB 257 deals with city improvements in unincorporated areas. The bill would provide two additional conditions, each of which would allow a city to make improvements in unincorporated areas within three miles of their corporate limits. Current law states that these improvements may be made only if the city has adopted regulations governing the subdivision of land in the unincorporated area; the bill would retain this option and add two more conditions, requiring only one of the three to be met:

- The city has obtained the county's consent to making the improvements; or
- One hundred percent of the property owners outside the city who will be benefitted have signed a petition requesting the improvements be made.

Background

The original bill dealt with the city improvements issue. With respect to the original bill, representatives of the City of Olathe and the League of Kansas Municipalities testified in favor of the bill. No opponents provided testimony.

The Senate Local Government Committee amended the bill to remove a statement regarding the determination of sufficiency of petition signatures. This was considered a

*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>

technical amendment, since it was contained in a subsection that did not address a petition process.

According to the fiscal note on SB 257, as introduced, the League of Kansas Municipalities has indicated the bill would have no fiscal effect on cities. The fiscal note indicates the Kansas Association of Counties has been queried as well.

The House Committee on Local Government created a substitute bill and added the contents of HB 2029 as amended by House Committee of the Whole relating to annexation, with one change from that version. The election requirement in that version of HB 2029 would have applied only to annexations in Johnson, Sedgwick and Shawnee counties; the House Committee changed the application to counties with a population of 100,000 or more.

The House Committee of the Whole removed the contents of HB 2029 relating to annexation.