

65-204. County health funds; health buildings; garbage and trash disposal; tax levies, use of proceeds; increase in levy; protest; election. (a) The board of county commissioners of any county of the state may levy a tax upon all taxable tangible property in such county for the purposes authorized herein and to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 12-1774 and amendments thereto by cities located in the county, and the proceeds thereof shall be placed into a separate fund designated as "the county health fund," which fund is hereby created, and shall be used to defray the cost of:

- (1) Assisting in the carrying out of the health laws and rules and regulations of the state within such county;
- (2) paying the salary of the local health officer;
- (3) any contract entered into with the governing body of any hospital located in a county having a population of less than 15,000 as provided by K.S.A. 65-201 and amendments thereto;
- (4) the employment of additional personnel to assist the local health officer and other health authorities within such counties.

(b) Any moneys remaining in the county health fund at the end of any county fiscal year for which a levy is made under this section may be transferred to the county health capital outlay fund, which is hereby created, for the making of capital expenditures incident to county health purposes.

(c) In all counties having a population over 100,000 and not more than 300,000, the board of county commissioners may levy in addition a tax for the purpose of paying the cost of building or equipping a health building and to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 12-1774 and amendments thereto by cities located in the county, upon all tangible taxable property in such county. In counties having a population of more than 250,000, the board of county commissioners may levy an annual tax upon all taxable tangible property in such county for the purpose of financing garbage and trash disposal in such county, either as a joint operation with any city located in such county or as a sole operation of such county and to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 12-1774 and amendments thereto by cities located in the county.

(d) Except as provided by this subsection, no levy shall be made by any county for the county health fund in an amount exceeding two mills. The board of county commissioners may increase the mill levy authorized by this subsection by adoption of a resolution. Such resolution shall be published once each week for two consecutive weeks in the official county newspaper. If within 60 days after the last publication of the resolution, a petition signed by not less than 5% of the qualified electors in the county is filed in the office of the county election officer requesting an election thereon, the board shall not increase such levy unless the question is submitted to and approved by a majority of the voters of the county voting at an election thereon. All such elections shall be noticed, called and held in the manner prescribed in K.S.A. 10-120 and amendments thereto.

History: L. 1929, ch. 289, § 1; L. 1945, ch. 247, § 1; L. 1953, ch. 424, § 2; L. 1957, ch. 334, § 1; L. 1961, ch. 281, § 1; L. 1965, ch. 370, § 1; L. 1967, ch. 336, § 1; L. 1968, ch. 342, § 1; L. 1970, ch. 249, § 1; L. 1971, ch. 203, § 1; L. 1974, ch. 248, § 1; L. 1974, ch. 433, § 2; L. 1975, ch. 162, § 36; L. 1976, ch. 264, § 2; L. 1979, ch. 52, § 157; L. 1985, ch. 206, § 1; L. 1986, ch. 228, § 1; L. 1988, ch. 234, § 1; L. 1990, ch. 66, § 42; May 31.