

**68-5,103. Road improvements in counties over 300,000; bonds; election; limitation.** When the board of county commissioners of any county having a population of more than 300,000 determines it is necessary to make improvements on any existing roads or highways in the county or any streets in any city within the county and sufficient funds are not available for the improvements, the board may issue general obligation bonds of the county to pay the cost of the improvements. Prior to issuing any bonds, the board shall adopt a resolution which: (1) States the necessity for the improvements; (2) designates the streets or highways to be improved; (3) describes the improvements to be made; and (4) states the estimated cost of the improvements and the amount of general obligation bonds to be issued to pay the cost. The resolution shall be published once each week for two consecutive weeks in a newspaper of general circulation within the county.

No bonds shall be issued if, within 90 days of the second publication, a petition signed by registered voters of the county equal in number to not less than 3% of the votes cast in the county for the office of governor at the last general election at which a governor was elected is filed with the county clerk requesting the question of the issuance of the bonds be submitted to and approved by the qualified electors of the county. If a sufficient petition is filed, the county election officer shall call and hold a special election on the question in the manner provided under the general bond law.

If a sufficient petition is not filed within the prescribed time or if a special election is called and held and a majority of the votes cast on the question submitted is in favor of the issuance, the board of county commissioners may issue the general obligation bonds in the amount specified in the resolution. The bonds shall be authorized, issued, registered and sold in the manner prescribed by the general bond law and shall bear interest at a rate not to exceed the maximum rate prescribed by K.S.A. 10-1009 and amendments thereto. General obligation bonds issued by any county under the authority of this section shall not be subject to any limitation on the bonded indebtedness of the county. The aggregate principal amount of bonds issued by any county in any fiscal year under this section shall not exceed .5% of the taxable tangible assessed valuation of the county or \$1,000,000, whichever is greater.

For the purpose of this section, the term "improvements" means construction, reconstruction, maintenance or repair [of] any street or highway.

**History:** L. 1983, ch. 229, § 1; July 1.