

**76-6a42. Same; authorizations for project, acquisition of adjacent land and issuance of revenue bonds, conditions precedent; approval of title and form of deed; eminent domain.** (a) At the request of the chancellor of the university of Kansas and subject to the provisions of appropriation acts, the state board of regents is hereby authorized to construct, repair, remodel or renovate one or more buildings on state-owned property at the university of Kansas medical center for an out-patient center providing detection, screening, diagnostic and treatment services relating to cancer and is hereby authorized and empowered to acquire fee simple title to lots or tracts of land and any improvements thereon located adjacent to the university of Kansas medical center for such outpatient center. No such building shall be constructed, repaired, remodeled or renovated and no such real estate shall be acquired therefor under the authority of this section unless the state board of regents has: (1) First advised and consulted on such construction, repair, remodeling or renovation and on any such acquisition with the joint committee on state building construction; and (2) determined that such construction, repair, remodeling or renovation will generate additional hospital revenues from the out-patient center providing detection, screening, diagnostic and treatment services relating to cancer that exceed the costs incurred by the university of Kansas medical center under this act during the term of any revenue bonds issued under this act.

(b) For the purpose of paying all or a part of the cost of the construction of any such building on state-owned property at the university of Kansas medical center, the cost of repairing, remodeling or renovating one or more state buildings at the university of Kansas medical center and the cost of acquiring such real estate adjacent to the university of Kansas medical center for such outpatient center, under the authority of this act, the state board of regents is authorized to issue revenue bonds pursuant to K.S.A. 76-6a12 *et seq.*, and amendments thereto, except that (1) the state board of regents shall not issue any such bonds unless the state board of regents has first advised and consulted on such capital improvement projects for construction, repair, remodeling or renovation of one or more buildings and on any such acquisition of real estate adjacent to the university of Kansas medical center for such outpatient center with the joint committee on state building construction; and (2) such bonds shall be payable as to both principal and interest solely and only out of income and revenues arising from the operation of the university of Kansas hospital or an out-patient center providing detection, screening, diagnostic and treatment services relating to cancer.

(c) Before paying the consideration for any such purchase of such real estate adjacent to the university of Kansas medical center for such outpatient center, the state board of regents shall secure an approval of the title and the form of the deed from the attorney general. Each such conveyance shall be made to the state of Kansas and shall be filed in the office of the secretary of state. The provisions of K.S.A. 75-3043a and amendments thereto shall not apply to any purchase of real estate under this section.

(d) If the state board of regents and the owners of any real estate which the state board of regents desires to purchase under this section cannot agree as to the price to be paid therefor, or if the owner of the property refuses to sell the real property, the state board of regents is authorized to exercise the right of eminent domain in the manner provided by K.S.A. 26-501 through 26-516 and amendments thereto.

**History:** L. 1991, ch. 274, § 3; May 30.