

As Amended by House Committee

Session of 2018

HOUSE BILL No. 2628

By Committee on Local Government

2-6

1 AN ACT concerning airport authorities; amending K.S.A. 27-325 and  
2 repealing the existing section.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 27-325 is hereby amended to read as follows: 27-  
6 325. (a) *Except as provided in subsection (b), an authority created and*  
7 *established by a city may be dissolved at any time by such city by*  
8 *adoption of an appropriate ordinance effecting a dissolution thereof.*  
9 ~~Provided, however, That. The authority established hereunder shall~~  
10 ~~continue for a period of not less than ten (10) 10 years: Provided further,~~  
11 ~~however, That. An authority established hereunder shall not be dissolved~~  
12 ~~until all of its liabilities, bonds and other valid indebtedness have been~~  
13 ~~paid in full or have been otherwise discharged: Provided further, however,~~  
14 ~~That upon such. Upon dissolution, the city shall acquire the property of the~~  
15 ~~authority subject to any leases or agreements duly and validly made by the~~  
16 ~~authority.~~

17 (b) *An authority created and established by a the city of Pratt may be*  
18 *dissolved at any time by the city by adoption of an appropriate ordinance*  
19 *effecting the dissolution thereof: Provided, however, That the authority*  
20 *established hereunder shall continue for a period of not less than 10*  
21 *years: Provided further, however, That an authority established hereunder*  
22 *shall not be dissolved until all of its liabilities, bonds and other valid*  
23 *indebtedness have been paid in full or have been otherwise discharged:*  
24 ~~Provided further, however, That. Upon such dissolution the city shall~~  
25 ~~acquire the property of the authority subject to any leases or agreements~~  
26 ~~duly and validly made by the authority. The ordinance shall provide for~~  
27 ~~the following:~~

28 (1) *The provisions of the ordinance shall be deemed to be adequate*  
29 *for the payment or retirement of any authority debts or obligations. All*  
30 *property, funds and assets of the authority shall be vested in the city of*  
31 *Pratt.*

32 *On the effective date of the ordinance:*

33 (A) *All of the powers, duties and functions of the authority shall be*  
34 *transferred to and conferred and imposed upon the city of Pratt.*

35 (B) *All balances for all funds or accounts for the authority shall be*  
36 *transferred to the city of Pratt.*

1       (C) *All liabilities of the authority, including, without limitation,*  
2 *accrued compensation or salaries of officers and employees who are*  
3 *transferred to the city of Pratt under this ordinance, shall be assumed by*  
4 *the city of Pratt.*

5       (D) *All assets of the authority shall be vested in the city of Pratt.*

6       (2) *The city of Pratt shall be the successor in every way to the*  
7 *powers, duties and functions of the authority in which the same were*  
8 *vested prior to the effective date of the ordinance. Every act performed in*  
9 *the exercise of such transferred powers, duties and functions by the city,*  
10 *shall be deemed to have the same force and effect as if performed by the*  
11 *authority in which such powers, duties and functions were vested prior to*  
12 *the effective date of the ordinance.*

13       (3) *Whenever the airport authority, or words of like effect, are*  
14 *referred to or designated by a contract or other document and such*  
15 *reference is in regard to any of the powers, duties and functions*  
16 *transferred to the city of Pratt, such reference or designation shall be*  
17 *deemed to apply to the city as the context requires.*

18       (4) *The city of Pratt shall have the legal custody of all records,*  
19 *memoranda, writings, entries, prints, representations, electronic data or*  
20 *combinations thereof of any act, transactions, occurrence or event of the*  
21 *authority.*

22       (5) *The city of Pratt shall be the continuation of the authority. The*  
23 *city of Pratt shall make adequate provisions for the payment or retirement*  
24 *of all authority debts or obligations.*

25       (6) *No suit, action or other proceeding, judicial or administrative,*  
26 *lawfully commenced, or which could have been commenced, by or against*  
27 *the authority prior to its dissolution or by or against any officer of the*  
28 *authority, prior to its dissolution in such officer's official capacity or in*  
29 *relation to the discharge of such officer's official duties, shall abate by*  
30 *reason of the governmental reorganization effected under the provisions of*  
31 *the ordinance. The court may allow any such suit, action or other*  
32 *proceeding to be maintained by or against the successor of the authority*  
33 *or any officer affected.*

34       (7) *All officers and employees who, immediately prior to the effective*  
35 *date of the ordinance, were engaged in the performance of powers, duties*  
36 *or functions of the authority and who, in the opinion of the city of Pratt,*  
37 *are necessary to perform the powers, duties and functions of the city, shall*  
38 *be offered the opportunity to become officers and employees of the city.*

39       Sec. 2. K.S.A. 27-325 is hereby repealed.

40       Sec. 3. This act shall take effect and be in force from and after its  
41 publication in the statute book.