

**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.

3  
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.*

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

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

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

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

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

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

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

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

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

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

42       Sec. 3. This act shall take effect and be in force from and after its  
43 publication in the ~~statute book~~ **Kansas register**.