

January 27, 2011

The Honorable Steve Huebert, Chairperson
House Committee on Local Government
Statehouse, Room 149-S
Topeka, Kansas 66612

Dear Representative Huebert:

SUBJECT: Fiscal Note for HB 2065 by House Committee on Local Government

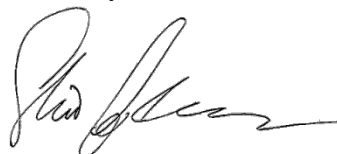
In accordance with KSA 75-3715a, the following fiscal note concerning HB 2065 is respectfully submitted to your committee.

HB 2065 would amend existing law concerning the annexation of land. If a board of county commissioners determines by resolution within 30 days of the hearing on a proposed annexation that the annexation would have an adverse effect on the county, it must deliver this resolution to the city. If the board fails to adopt such a resolution within that 30-day period, the annexation would be considered approved.

Current law allows the board of county commissioners to hold a hearing five years after annexation or four years after annexation when litigation has been involved, to determine if the annexing city has provided municipal services. HB 2065 would change those time periods to three and four years, respectively. Existing law states that if these services have not been provided and cannot be provided within two and one-half years, the property can be deannexed and cannot be annexed again for one year. The bill would change those time periods to two and four years, respectively. If the board refuses to hold such a hearing, an owner of land living in the annexed area may bring an action to compel the board to hold the hearing, and the court may award attorney fees and costs to the landowner.

Passage of HB 2065 would have no effect on the state budget. According to the League of Kansas Municipalities and the Kansas Association of Counties, passage of this bill could have a fiscal effect on the municipalities and counties in Kansas, but the organizations are unable to estimate what that effect would be.

Sincerely,



Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Larry Baer, League of KS Municipalities