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LEGISLATURE *of* THE STATE *of* KANSAS
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MEMORANDUM

To: Chairwoman McGinn and members of the Senate Ways and Means Committee

From: Jill A. Wolters, First Assistant Revisor

Date: February 20, 2019

Subject: **SB118. Protecting counties from debts or obligations of a county hospital upon its closure.**

Currently, pursuant to K.S.A. 19-4625, the county commission may close and terminate the operation of a county hospital, whenever the commission maintaining and operating the hospital determines, by resolution, that it is in the best interest of the county that operation of the hospital should be closed and terminated OR not less than 5% of the qualified electors of the county may sign a petition to close the hospital. The proposition is then submitted to an election. If a majority of the votes cast on the proposition are in favor, the commission: (1) Shall close and terminate the operation of the county hospital; and (2) may sell or donate the hospital to a city in or near which the hospital is located subject to the approval and acceptance of such the city, or to a hospital district, or to a nonprofit. If the proposition fails, the county hospital shall be continued in operation. If closed, the balance of any moneys remaining in any fund of the county hospital after termination of its operation and after payment and performance of any obligation thereof of the county hospital shall be transferred to the county general fund. Any records of a county hospital shall be transferred to the custody of the county clerk.

Senate Bill No. 118 adds language that states the county shall not be responsible for any debts or obligations incurred by the hospital or hospital board.

The bill will take effect upon publication in the statute book.