AN ACT concerning municipalities; regarding dissolution of special
districts and assumption of responsibilities by cities.

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

Section 1. (a) It is the purpose of this act to establish a procedure for
any city to assume the powers, responsibilities and duties of any special
district located within the city's corporate limits and to provide for the
dissolution of the special district. No such dissolution shall take place until
approved by a joint resolution adopted by the city and the special district
as provided in section 2, and amendments thereto.

(b) For purposes of this act, "special district" includes airport
authorities, cemetery districts, drainage districts, fire districts, industrial
districts, library districts, port authorities, rural water districts, sewer
districts and rural watershed districts.

Sec. 2. (a) The governing bodies of any special district and any city
that have reached an agreement that the city shall assume all powers,
responsibilities and duties of the special district shall pass a joint
resolution stating their intent to bring about such dissolution and setting
the time and place for a joint public hearing on this issue. The joint
resolution shall be published once each week for two consecutive weeks in
a newspaper of general circulation in the county or counties where the city
and special district are located. Once the governing bodies have passed the
joint resolution stating their intent to bring about the dissolution, the
special district shall not issue new debt without first notifying the
governing body of the city and having the new debt approved by the city's
governing body by resolution.

(b) Following the public hearing, the governing bodies of the special
district and the city shall decide to proceed with or abandon the proposed
dissolution. If both governing bodies agree to proceed with the dissolution
and assumption of the powers and responsibilities of the special district by
the city, as evidenced by formal action of each body, the city shall adopt an
ordinance dissolving the special district and assuming all powers,
responsibilities and duties of the special district. The special district shall
be deemed dissolved on the effective date of the ordinance. A copy of the
ordinance shall be provided to the county clerk.

Sec. 3. (a) Upon the dissolution of the special district, the city shall
acquire the property of the special district subject to any leases or agreements duly and validly made by the district. The city shall be responsible for the payment or retirement of any special district debts or obligations. All property, funds and assets of the district shall be vested in the city.

(b) The city shall be the successor in every way to the powers, duties and functions of the special district. Every act performed in the exercise of such transferred powers, duties and functions by the city shall be deemed to have the same force and effect as if performed by the special district.

(c) Whenever the special district, or words of like effect, are referred to or designated by a contract or other document and such reference is in regard to any of the powers, duties and functions transferred to the city, such reference or designation shall be deemed to apply to the city as the context requires.

(d) The city shall have the legal custody of all records, memoranda, writings, entries, prints, representations, electronic data or combinations thereof of any act, transaction, occurrence or event of the special district.

(e) No suit, action or other proceeding, judicial or administrative, lawfully commenced, or that could have been commenced, by or against the special district prior to its dissolution or by or against any officer of the district, prior to its dissolution in such officer's official capacity or in relation to the discharge of such officer's official duties, shall abate by reason of the governmental reorganization effected under the provisions of this act. The court may allow any such suit, action or other proceeding to be maintained by or against the successor of the district or of any such officer.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.