

**SENATE BILL No. 90**

By Committee on Commerce

1-28

1 AN ACT concerning the Kansas rural housing incentive district act;  
2 *{amending the definition of "city";}* permitting the use of bond  
3 proceeds for vertical renovations of certain buildings for residential  
4 purposes; amending K.S.A. 12-5249 *{and K.S.A. 2020 Supp. 12-5242}*  
5 and repealing the existing ~~section~~ *{sections}*.

6  
7 *Be it enacted by the Legislature of the State of Kansas:*

8 *{Section 1. K.S.A. 2020 Supp. 12-5242 is hereby amended to read as*  
9 *follows: 12-5242. Except as otherwise provided, as used in K.S.A. 12-*  
10 *5241 through 12-5251 and K.S.A. 2020 Supp. 12-5252 through 12-5258,*  
11 *and amendments thereto, the following words and phrases shall have the*  
12 *following meanings unless a different meaning clearly appears from the*  
13 *context:*

14 (a) *"City" means any city incorporated in accordance with Kansas*  
15 *law with a population of less than 60,000* ~~in a county with a population of~~  
16 ~~less than 80,000,~~ *as certified to the secretary of state by the director of*  
17 *the division of the budget on the previous July 1 in accordance with*  
18 *K.S.A 11-201, and amendments thereto.*

19 (b) *"City housing authority" means any agency of a city created*  
20 *pursuant to the municipal housing law, K.S.A. 17-2337 et seq., and*  
21 *amendments thereto.*

22 (c) *"Corporation" means the Kansas housing resources*  
23 *corporation.*

24 (d) *"County" means any county organized in accordance with*  
25 *K.S.A. 18-101 et seq., and amendments thereto, with a population of less*  
26 *than 60,000, as certified to the secretary of state by the director of the*  
27 *division of the budget on the previous July 1<sup>st</sup> in accordance with K.S.A*  
28 *11-201, and amendments thereto.*

29 (e) *"Developer" means the person, firm or corporation responsible*  
30 *under an agreement with the governing body to develop housing or*  
31 *related public facilities in a district.*

32 (f) *"District" means a rural housing incentive district established*  
33 *in accordance with this act.*

34 (g) *"Governing body" means the board of county commissioners of*  
35 *any county or the mayor and council, mayor and commissioners or*  
36 *board of commissioners, as the laws affecting the organization and*

1 *status of cities affected may provide.*

2 *(h) "Housing development activities" means the construction or*  
3 *rehabilitation of infrastructure necessary to support construction of new*  
4 *residential dwellings and the actual construction of such residential*  
5 *dwellings, if such construction is conducted by a city housing authority.*

6 *(i) "Secretary" means the secretary of commerce of the state of*  
7 *Kansas.*

8 *(j) "Real property taxes" means and includes all taxes levied on an*  
9 *ad valorem basis upon land and improvements thereon.*

10 *(k) "Taxing subdivision" means the county, the city, the unified*  
11 *school district, and any other taxing subdivision levying real property*  
12 *taxes, the territory or jurisdiction of which includes any currently*  
13 *existing or subsequently created rural housing incentive district.}*

14 ~~Section 1. {Sec. 2.}~~ K.S.A. 12-5249 is hereby amended to read as  
15 follows: 12-5249. (a) Any city or county which has established a rural  
16 housing incentive district may use the proceeds of special obligation bonds  
17 issued under K.S.A. 12-5248, and amendments thereto, or any  
18 uncommitted funds derived from those sources of revenue set forth in  
19 ~~paragraph (1) of subsection (a) of K.S.A. 12-5248(a)(1), and amendments~~  
20 ~~thereto,~~ to implement specific projects identified within the rural housing  
21 incentive district plan including, without limitation:

22 (1) Acquisition of property within the specific project area or areas as  
23 provided in K.S.A. 12-5247, and amendments thereto;

24 (2) payment of relocation assistance;

25 (3) site preparation;

26 (4) sanitary and storm sewers and lift stations;

27 (5) drainage conduits, channels and levees;

28 (6) street grading, paving, graveling, macadamizing, curbing,  
29 guttering and surfacing;

30 (7) street lighting fixtures, connection and facilities;

31 (8) underground gas, water, heating, and electrical services and  
32 connections located within the public right-of-way;

33 (9) sidewalks;~~and~~

34 (10) water mains and extensions; and

35 (11) renovation of buildings or other structures more than 25 years of  
36 age primarily for residential use located in a central business district as  
37 approved by the secretary of commerce. Certification of the age of the  
38 building or other structure shall be submitted to the secretary by the  
39 governing body of the city or county with the resolution as provided by  
40 K.S.A. 12-5244, and amendments thereto. Eligible residential  
41 improvements shall include only improvements made to the second or  
42 higher floors of a building or other structure. Improvements for  
43 commercial purposes shall not be eligible.

1 (b) None of the proceeds from the sale of special obligation bonds  
2 issued under K.S.A. 12-5248, *and amendments thereto*, shall be used for  
3 the construction of buildings or other structures to be owned by or to be  
4 leased to any developer of a residential housing project within the district,  
5 *except for buildings or other structures located in a central business*  
6 *district as approved by the secretary of commerce.*

7 ~~Sec. 2. {3.}~~ K.S.A. 12-5249 ~~is~~ *{and K.S.A. 2020 Supp. 12-5242 are}*  
8 hereby repealed.

9 ~~Sec. 3. {4.}~~ This act shall take effect and be in force from and after its  
10 publication in the statute book.