

## **Credit Card Payments to Counties; Recreation System; Partial Payment of Property Tax; Tax Affidavit; Abandoned Commercial Buildings; SB 207**

**SB 207** amends law relating to various types of municipalities in these ways:

- Allows counties to accept a credit or debit card for any payment, including those for taxes and utility fees;
- Authorizes the conversion of an existing school district recreation system to a city recreation system under specified stipulations and procedures;
- Allows county treasurers to accept partial payments on delinquent personal property taxes and repeals an outdated statute regarding affidavits related to personal property taxes; and
- Grants city governing bodies the authority to cause the repair or removal of unsafe or dangerous commercial real estate.

### ***Credit or Debit Card Payments to Counties***

Along with authorizing counties to accept a credit or debit card for any payment, including those for taxes and utility fees, the bill authorizes a county to add a fee to each transaction equal to the charge to the county for a payment made using the card. The bill also requires a county to provide notice of any such fee. The bill exempts any such transaction from a provision in the Kansas Uniform Consumer Credit Code that prohibits a seller or lessor from adding a surcharge on a payment made by credit or debit card.

### ***Conversion of an Existing Recreation System***

The bill creates a new section of law allowing the governing body of a school district which previously established a recreation system to take joint action with the governing body of the city in which the school district is located, to initiate the conversion of the existing recreation system to a city recreation system under the following stipulations and procedures:

- The school district must be located completely inside the boundaries of the city;
- A joint ordinance and resolution is required, proposing to change the existing school district system to a city recreation system, and the joint ordinance and resolution must authorize publication of a notice of intent. The notice must be published once a week for two consecutive weeks in the official city newspaper; and
- A protest petition could be filed which, if it met the criteria established in the bill, will subject the measure to an election.

If a new city recreation system is established pursuant to the new law, the following stipulations will apply:

- The mill levy rate of the new system will not be subject to the one-mill levy limitation for a new recreation system;
- The conversion to the new system must provide for the transfer of assets of the existing school district system to the city system, as well as the assumption of liabilities from one to the other; and
- The members of the school district recreation system will be required to serve the balance of their respective terms in office as members of the new city system, at which time the members of the city recreation commission must be appointed by the city governing body.

### ***Partial Payments on Delinquent Personal Property Taxes***

The bill allows county treasurers to accept partial payments as a part of a payment plan for delinquent personal property taxes. The bill clarifies that nothing in the statute is to be construed to modify the consequences of untimely payment of delinquent real or personal property tax.

The bill also repeals KSA 79-2102, which allowed the filing of an affidavit of poverty related to the nonpayment of personal property taxes and thereby stopping the issuance of a warrant.

### ***Commercial Abandoned Property***

The bill adds commercial real estate property to the set of statutes dealing with unsafe or dangerous structures and abandoned property, thereby granting city governing bodies the power to cause the repair or removal of commercial properties which have become unsafe or dangerous. This is accomplished by expanding the definition of abandoned structures to include commercial real estate property for which the taxes are delinquent for the preceding two years and which has a blighting influence on surrounding properties.

Commercial real estate is defined as any real estate for which the present use is other than one to four residential units or for agricultural purposes.

The bill defines "blighting influence" as conditions in the structure which are dangerous or injurious to the health, safety, or morals of the building occupants or other residents of the municipality, or which have an adverse impact on properties in the area. The bill lists a number of such conditions in the definition, such as defects increasing the hazards of fire.