

SESSION OF 2021

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2213**

As Recommended by House Committee on  
Local Government

**Brief\***

HB 2213 would amend the protest petition and election requirements and procedures for townships seeking to acquire property or construct buildings.

The bill would require notice of a public hearing on township acquisitions of land, construction of buildings, purchase of a schoolhouse, or appropriation of money or levying of a tax for such purposes be published in the official county newspaper at least 20 days prior to the hearing.

After the hearing, the township board could adopt a resolution authorizing the acquisition of land, construction of building, or appropriating money or levying a tax for either purpose, which would also be required to be published in the official county newspaper.

If a protest petition signed by 10 percent of the qualified electors of the township was presented to the county clerk within 45 days of publication of this resolution, the question of purchasing property would be submitted to the township electors.

Such elections would be carried out in the same manner as elections for township officers.

The bill would specify that a township that had already acquired land and wanted to construct a building on such land would be subject to the procedure described above.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Existing law requires all township acquisitions of land , construction of buildings, purchases of schoolhouses, or appropriating funds or levying a tax for such purposes be submitted to a vote of the electors of the township.

## **Background**

The bill was introduced by the House Committee on Local Government at the request of Representative Amyx.

### ***House Committee on Local Government***

In the House Committee hearing, Representative Amyx provided **proponent** testimony on the bill. He stated his belief that as part of local control, local officials should be able to take those actions they were elected to perform. He also noted that, under current law, townships could potentially have to wait a great deal of time for the next regular election or bear the cost of a special election in order to carry out township business.

No neutral or **opponent** testimony was provided.

## **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget on the bill, the Office of the Secretary of State (Office) indicates the costs resulting from enactment of the bill would be negligible and could be absorbed within existing resources. The Office also indicates county election offices could incur costs to publish notices of public hearings and conduct special elections if a protest petition is successfully submitted and requires an election, but those costs would vary by county based on a number of factors.

The Kansas Association of Counties indicates enactment of the bill could increase the cost of land

acquisition and construction for townships, as the cost of a potential election would need to be factored in to any project.

Townships; Property; Buildings; Protest Petition; Notice; Election