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MEMORANDUM

To: Chairperson Bergquist
Members of the House Committee on Local Government

From: The Office of Revisor of Statutes

Date: February 8, 2023

Subject: HB 2150 – Repealing city authority to apply planning and zoning regulations to the area three miles outside of the city boundary.

House Bill No. 2150 (HB 2150) would amend K.S.A. 12-749 and repeal K.S.A. 12-715b, 12-715c, and 12-715d to repeal the authority of cities to apply their planning and zoning regulations to the area that is three miles outside of the city boundary. In 1965, state law was amended to permit cities to extend the application of their planning and zoning regulations to that area outside the city boundary that was three miles from the boundary. K.S.A. 12-749 contains the general authority, while the other three statutes provide procedures and limitations on adoption of such regulations.

HB 2150 would strike the general authority provision in K.S.A. 12-749 and limit city planning and zoning authority strictly to land located within the city. The bill would also repeal the other three statutes as they would have no purpose if the general authority is stricken.

If enacted, HB 2150 would become effective on July 1, 2023.