



BOARD OF COMMISSIONERS

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February 14, 2023

Carolyn McGinn, Chair
Senate Local Government Committee
State Capitol, Room 142-S
Topeka, KS 66612

Re: Written and Oral Testimony in Support of SB 162

Dear Chair McGinn and Members of the Committee:

The Board of Riley County Commissioners has introduced and unanimously supports SB 162.

This legislation allows Riley County to abate public nuisance properties by cleaning them up and imposing those costs upon the real property.

Current law, represented by a Kansas Court of Appeals decision, prohibits every county from doing the above. That court decision limits counties' ability to resolve even extreme public nuisance properties. Instead, counties can only file suit in district court, then rely upon the possibility a district court may impose a small fine or limited jail time. The experience of our lawyers in such cases is that courts are extremely reluctant to impose even small fines when a public nuisance is brought before them. And almost never is even a short jail sentence likely.

The best evidence why this statute is necessary can be seen in the photos of 3 different properties. All 3 are located in the unincorporated area of Riley County. Those photos are attached as "Property 1," "Property 2" and "Property 3." All aerial photos attached to my testimony date from 2022. But all other photos you will see today were taken within the past 2 weeks. You will hear more about the specifics of these 3 properties from our lawyers. You will hear more from them about why the current system doesn't work. You will understand why SB 162 is a solution worthy of this committee's support.

Thank you for allowing this Board to testify in support of SB 162.

Sincerely,

BOARD OF COMMISSIONERS OF
RILEY COUNTY, KANSAS

A handwritten signature in blue ink that reads "Kathryn G. Focke".

Kathryn G. Focke, Chair

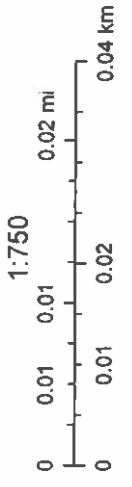
A handwritten signature in blue ink that reads "John Ford".

John Ford, Vice Chair

A handwritten signature in blue ink that reads "Greg McKinley".

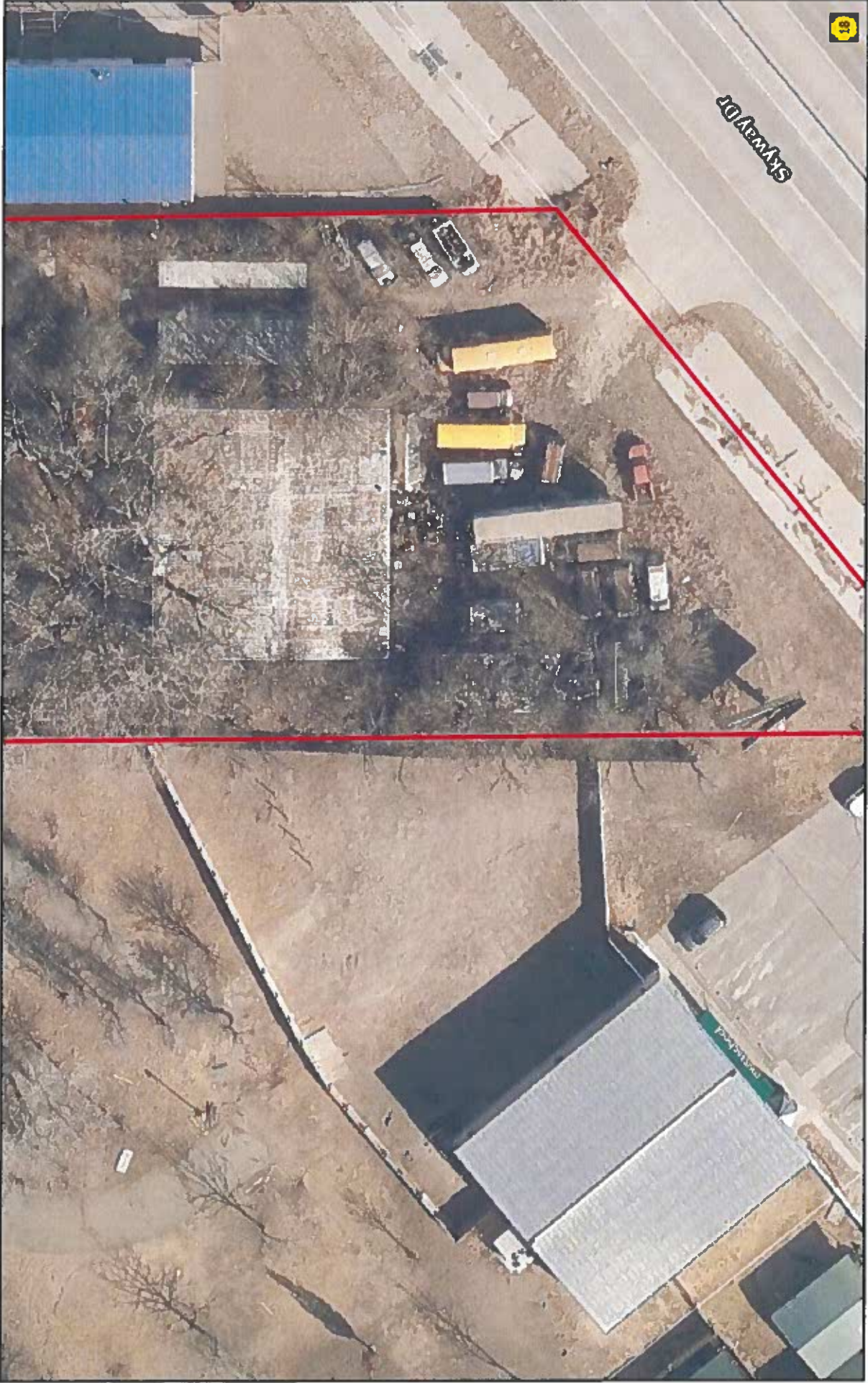
Greg McKinley, Member

2022



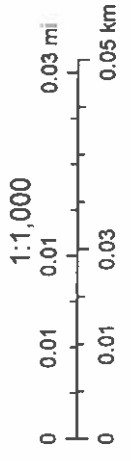
Property 1

2022



Property 2

2022



Property 3