

HOUSE BILL No. 2323

By Committee on Local Government

2-7

1 AN ACT concerning fire districts; relating to fire districts located in  
2 Johnson county; providing for the detachment and transfer of property  
3 thereof annexed by a city; amending K.S.A. 2022 Supp. 19-3623f and  
4 repealing the existing section.

5  
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2022 Supp. 19-3623f is hereby amended to read as  
8 follows: 19-3623f. (a) If any land included in a fire district created under  
9 the provisions of K.S.A. 19-3613, and amendments thereto, is thereafter  
10 annexed by any city, such land shall continue to be within and a part of the  
11 fire district ~~unless~~ *until an agreement transferring such land is approved*  
12 *pursuant to this section or, except as otherwise provided, one year from*  
13 *the effective date of such annexation, whichever occurs first. The city*  
14 *shall notify the fire district of such annexation by certified mail within*  
15 *10 days of the effective date of such annexation. If such notice is not*  
16 *mailed by certified mail within the prescribed time period, the land*  
17 *annexed by such city shall continue to be within and a part of the fire*  
18 *district until an agreement transferring such land is approved pursuant*  
19 *to this section or one year from the date that such notice is mailed. The*  
20 *governing bodies of the city and fire district shall negotiate an agreement*  
21 *providing for the transfer of such land to the city. Such negotiations may*  
22 *include the transfer of other property of the fire district and the payment of*  
23 *compensation therefor. Any such agreement shall be submitted to and*  
24 *approved by the board of county commissioners, and thereupon such land*  
25 *shall be detached from the fire district and any other property to be*  
26 *transferred to the city under the agreement shall be transferred. Ownership*  
27 *of any property of the fire district, including, but not limited to, any land*  
28 *and any structures, fixtures, vehicles, equipment or other tangible*  
29 *personal property located on such land shall only be transferred to such*  
30 *city in accordance with a written agreement executed by the fire district.*  
31 *If no agreement is submitted to the board of county commissioners within*  
32 *one year from the effective date of such annexation; or, if applicable, one*  
33 *year from the date that notice of such annexation was mailed to the fire*  
34 *district, then, upon the filing of notice with the county clerk by the city*  
35 *clerk that no such agreement has been submitted, such land shall be*  
36 *detached from the fire district and transferred to the city for purposes of*

1 *providing fire services. Such detachment and transfer shall be effective*  
2 *for purposes of taxation on January 1 of the immediately succeeding*  
3 *year.*

4 (b) When the land annexed to such city is detached and excluded  
5 from such district the governing body of the fire district shall redefine the  
6 new boundaries of the fire district to exclude the land so detached. All  
7 general obligation bonds issued for the acquisition or construction of fire  
8 stations or buildings, the acquisition of sites therefor and the purchase of  
9 fire fighting equipment by a fire district which are issued prior to the  
10 detachment of such land shall continue as an obligation of the property  
11 subject to taxation for the payment thereof at the time such bonds were  
12 issued.

13 Sec. 2. K.S.A. 2022 Supp. 19-3623f is hereby repealed.

14 Sec. 3. This act shall take effect and be in force from and after its  
15 publication in the statute book.