

SESSION OF 2016

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2438

As Recommended by House Committee on
Local Government

Brief*

HB 2438 changes law related to fire districts created under KSA 19-3601 *et seq.* The bill would allow all or part of any city adjoining the boundaries of any fire district proposed or organized under this act to be included within the fire district. Current law allows only a city lying within a fire district's boundaries to be included. Under continuing law the city governing body still would be required to publish a notice, in the official city newspaper at least 20 days prior to a regular meeting, of the city governing body's intent to petition the board of county commissioners that all or part of the city be included in any proposed or organized fire district in the county and of a hearing on the proposal at the meeting.

The bill also would make technical and conforming changes to existing statutory language.

The bill would be in effect upon publication in the *Kansas Register*.

Background

The bill was introduced by Representative Merrick. At the House Committee on Local Government hearing, written testimony in favor of the bill was submitted by representatives of Johnson County Fire Districts No. 1 and No. 2. No neutral or opposing testimony was received.

*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>

According to the proponents, Johnson County Fire District No. 1 provides fire protection services to the City of Gardner, which adjoins the fire district and does not have a fire department. Proponents indicated the City of Gardner desires to be included in the Fire District's territory. A similar situation exists between Johnson County Fire District No. 2 and the City of Spring Hill, where part of the City is located within the Fire District's boundaries and the remainder is served by contractual agreement between the Fire District and the City.

According to the fiscal note prepared by the Division of the Budget, the League of Kansas Municipalities indicates it is unable to estimate whether there would be a fiscal effect on municipalities with enactment of the bill. The Kansas Association of Counties indicates enactment of the bill would result in no effect on counties.