

IN THE 29TH DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS

Petition Pursuant to K.S.A. Chapter 60

UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY AND KANSAS CITY, KANSAS,

Plaintiff,

v.

STATE OF KANSAS;

SERVE:

Office of the Attorney General
120 SW 10th Ave, 2nd Floor
Topeka, KS 66612-1597

KANSAS SPORTS FACILITIES AUTHORITY;

SERVE:

Office of the Lieutenant Governor
300 S.W. 10th Ave.
Topeka, KS 66612

KRIS KOBACH,

in his official capacity as
Attorney General of the State of Kansas; and

SERVE:

Office of the Attorney General
120 SW 10th Ave, 2nd Floor
Topeka, KS 66612-1597

DAVID TOLAND,

in his official capacity as
Lieutenant Governor and
Secretary of Commerce of the State of Kansas,

SERVE:

Office of the Lieutenant Governor
300 S.W. 10th Ave.
Topeka, KS 66612

Defendants.

Case No. _____

**PETITION FOR DECLARATORY
AND INJUNCTIVE RELIEF**

Plaintiff Unified Government of Wyandotte County and Kansas City, Kansas (the “Unified Government”), for its Petition for Declaratory and Injunctive Relief against Defendants, alleges as follows:

This case is about who decides how a community governs itself. The Unified Government does not oppose economic development, and it does not oppose professional football in Kansas. But House Bill 2466 does more than invite a stadium to Wyandotte County. For one project, in one community, it removes the local government's power to tax, to zone and plan, to set and collect local fees, and to provide utility service through the community's own publicly-owned utility. It gives those powers to a new state authority whose actions may not conflict with a private agreement with the Kansas City Chiefs, and whose board includes a member chosen by the team itself. Every other city in the State of Kansas retains the powers this Act takes from the Unified Government. The Kansas Constitution guarantees local governments the right to determine their local affairs unless the Legislature acts through laws that apply uniformly to all cities. The Unified Government brings this action to preserve that guarantee: not to stop a stadium, but to ensure that the people of Wyandotte County, through their elected local officials, keep a voice in decisions that will shape their community for generations.

INTRODUCTION

1. This action challenges the constitutionality of House Bill No. 2466, the Kansas Sports Facilities Authority Act (the “Act” or “HB 2466”).

2. The Act creates the Kansas Sports Facilities Authority (the “Authority”) to construct, finance, manage, and control sports facilities and related infrastructure for professional sports. By definition, and express statutory restriction, the Authority’s professional-sports mission is limited to a National Football League franchise and is tied to the Kansas City Chiefs Football Club, Inc. (the “Chiefs”) and its contemplated stadium project.

3. The contemplated project would place a major professional football stadium and related development in Kansas City, Kansas, within Wyandotte County and within the Unified Government's territorial jurisdiction.

4. At the same time, the Act withdraws from the principal locality directly affected core powers of local self-government, including taxing authority, zoning and regulatory jurisdiction, control over locally imposed fees and exactions, and the exclusive electric-service rights of the Unified Government's Board of Public Utilities ("BPU")—permitting an outside supplier to invade the BPU's exclusive territory inside the city's own corporate limits, where Kansas statutes vest utility regulation exclusively in the city.

5. The Act does not operate uniformly among Kansas cities. It uses project-specific definitions, a project-specific agreement, and location-specific consequences to single out a closed class of project localities—principally Kansas City, Kansas—while leaving other Kansas municipalities in possession of the powers that the Act removes from the Unified Government.

6. The Act is not applicable uniformly to all cities and therefore cannot preempt the Unified Government's home-rule powers under Article 12, § 5 of the Kansas Constitution.

7. The Unified Government has exempted itself from the challenged provisions described herein by Charter Ordinance No. CO-01-26 and Charter Resolution No. CR-02-26.

8. Independently, the challenged provisions violate Article 2, §§ 1 and 17 and Article 11, § 1(b) of the Kansas Constitution.

9. The Unified Government seeks declaratory and temporary, preliminary, and permanent injunctive relief before Defendants implement and/or act upon the challenged provisions and create irreversible obligations or third-party reliance interests.

PARTIES

10. Plaintiff Unified Government of Wyandotte County and Kansas City, Kansas is a consolidated city-county government organized under Kansas law pursuant to the Consolidation Act, K.S.A. 12-340 et seq. It is a county, city of the first class, and home-rule entity whose authority derives directly from Article 12, § 5 of the Kansas Constitution. K.S.A. 12-345(l)-(m).

11. The Unified Government provides municipal services, exercises local taxing and regulatory powers, and through its administrative agency, the BPU, a publicly-owned municipal utility, provides electric and water service within its jurisdiction. The BPU's enabling authority includes K.S.A. 13-1220 et seq.

12. Defendant State of Kansas (the "State") is the sovereign that enacted HB 2466 and whose officers and instrumentalities are charged with implementing it.

13. Defendant Kansas Sports Facilities Authority is the body corporate and politic and political subdivision created by Sections 1 through 8 of HB 2466. The Act provides that the Authority may sue and be sued.

14. Defendant Kris Kobach is sued solely in his official capacity as Attorney General of the State of Kansas. The Attorney General is the State's chief legal officer and has duties under K.S.A. 75-702, including representing the State, and a statutory right to notice and the opportunity to appear under K.S.A. 75-764.

15. Defendant David Toland is sued solely in his official capacity as Lieutenant Governor and Secretary of Commerce of the State of Kansas (the "Secretary"). The Secretary is a voting member of the Authority and possesses substantial powers implicated by the Act and related STAR bond provisions, including powers concerning STAR bond project districts and pledged revenues.

JURISDICTION AND VENUE

16. This Court has subject-matter jurisdiction under Kan. Const. art. 3, § 6, K.S.A. 20-301, and the Kansas Declaratory Judgments Act, K.S.A. 60-1701 et seq., including K.S.A. 60-1704, which authorizes construction of statutes and determination of their validity.

17. Under K.S.A. 60-1701 et seq., including K.S.A. 60-1704, this Court may declare the rights, status, and other legal relations of the parties and construe the challenged statutes to determine their constitutionality and validity.

18. An actual, present, and justiciable controversy exists. HB 2466 alters the legal authority, regulatory jurisdiction, taxing power, fee-setting authority, and utility-service rights of the Unified Government and the BPU.

19. The Unified Government has standing because the Act directly impairs its constitutionally protected home-rule authority, diminishes local revenue sources, displaces its regulatory jurisdiction, and threatens the BPU's established exclusive service rights.

20. Declaratory and injunctive relief will redress those injuries by preventing implementation and enforcement of unconstitutional provisions in the Act and preserving the Unified Government's local powers and the BPU's service rights.

21. Section 3(c) required the Authority's initial members to be appointed not later than August 31, 2026.

22. On information and belief, the appointing authorities identified in Section 3(b), including the Chiefs' appointing authority under Section 3(b)(9), appointed the Authority's initial members. The Authority has not held its first official meeting nor adopted bylaws.

23. The Legislative Coordinating Council approved an agreement on December 22, 2025 (the "December 22, 2025 agreement") between the State of Kansas (acting through the

Kansas Department of Commerce) and the Kansas City Chiefs Football Club, Inc., along with certain to-be-formed affiliates of the Chiefs. Pursuant to K.S.A. 12-17,164(a)(1)(B), the Unified Government adopted a conditional participation ordinance on February 5, 2026, published and executed on February 12, 2026, which ordinance pledged the Unified Government’s local sales, use and transient guest tax revenue to the project subject to certain conditions.

24. Venue is proper in Wyandotte County under K.S.A. 60-603 because the Unified Government is located here and the cause of action, or part of it, arose here through the Act’s direct effects on territory and governmental powers within Wyandotte County. The sports facility stadium authorized and contemplated under the Act would be constructed within Wyandotte County.

FACTUAL ALLEGATIONS

The Kansas Sports Facilities Authority Act (HB 2466)

25. The Kansas Legislature enacted HB 2466, known as the Kansas Sports Facilities Authority Act.

26. HB 2466 was approved by the Governor on April 9, 2026, and published in the Kansas Register on April 30, 2026. Under Section 19, the Act took effect and became operative upon publication.

27. A true and correct copy of the enrolled Act is attached hereto as **Exhibit 1**.

28. Section 3(a)(1) establishes the Authority as “a body corporate and politic and a political subdivision of the state” and specifies that it is not an agency or instrumentality of any city or county.

29. Section 1(b) states that the purpose of the act “is to provide for the construction, financing, management and long-term use of sports facilities and sports facility infrastructure as

venues for professional sports and a broad range of other civic, community, athletic, educational, cultural and commercial activities.”

30. Section 2(e) defines “professional sports” to mean the National Football League.

31. Section 2(f) defines “professional sports team” as an organization that is a franchised member of the National Football League engaged in the business of professional American football.

32. Section 4(c) further provides that the Authority may not enter a contract, agreement, or business relationship with any professional sport or franchise other than a National Football League team.

33. The broader enactment defines a “major professional sports complex” to include a Kansas project involving a stadium with at least 30,000 seats for National Football League or Major League Baseball contests, or a practice or training facility used by a major professional sports franchise.

34. As applied to the Authority—which is expressly restricted to the National Football League—and the December 22, 2025 agreement—incorporated into HB 2466, the enactment identifies the contemplated Chiefs project.

35. The Act is thus directed to the Chiefs and the development of facilities for that private professional football franchise, all as specified in the December 22, 2025 agreement.

36. The Act repeatedly incorporates and subordinates governmental action to the December 22, 2025 agreement between the Chiefs and the State.

37. Under the Act’s NFL-only definitions, the incorporated December 22, 2025 agreement, and the contemplated location of the stadium project, singularly and in practical operation, the Act applies only to the two localities where the Chiefs project will be constructed:

Kansas City, Kansas (stadium) and Olathe, Kansas (practice facility). This is confirmed throughout the Act:

- (a) Section 3(b)(9) refers to “the professional sports team that plays its games in the sports facility owned by the authority,” using the singular and tying the private Authority appointment to the Authority-owned facility.
- (b) Section 4(c) provides that the Authority may not enter into any contract, agreement, or business relationship with any other professional sport or franchise other than a professional sports team that is a franchised member of the National Football League engaged in professional American football, and that any action taken in violation of the Act is null and void.
- (c) Section 8(a) provides that the Authority’s powers may not be exercised in a way that conflicts with the terms and conditions of the December 22, 2025 agreement executed by the Kansas City Chiefs Football Club, Inc. and the State of Kansas.
- (d) Section 5(c)(3)’s sales and use tax exemption terminates only upon repayment in full of the bonds issued to finance the sports facility and sports facility infrastructure under that same December 22, 2025 agreement, in the aggregate principal amount authorized by that agreement.
- (e) Section 3(d) refers to “up to two cities” where an Authority sports facility is located. In practical operation, given the single dated agreement and single contemplated project alleged here, only the cities of Kansas City, Kansas and Olathe, Kansas are affected.

The Authority's Governance Structure

38. Section 3(b) provides for an Authority comprised of 11 voting members, including two members who may be appointed by mayors of cities where an Authority sports facility is located and nine other members.

39. The nine other members consist of one gubernatorial appointee; six appointees selected by specified leaders of the Kansas Senate and House of Representatives; the Secretary of Commerce; and a representative of the professional sports team.

40. Under Section 3(b)(9), the professional sports team unconditionally appoints its own representative to the Authority, and that representative serves until a successor is appointed and takes office. This provision refers to “the professional sports team that plays its games in the sports facility owned by the authority.”

41. The team's seat is a permanent voting position controlled by a private corporation, with no conditions, no related gubernatorial appointment, legislative confirmation, or other public confirmation process.

42. Under Section 3(d), a mayoral appointment is conditioned on “pay to play”—it is available to the city where the facility is located only if the city passes an ordinance electing to pledge local tax revenues and participate in the specified STAR bond project financing and maintains that participation.

43. Section 3(d) further requires that the city's pledge of applicable local sales, use, or transient guest tax revenue not limit or restrict the Secretary's authority concerning the STAR bond project district or state-revenue pledge, and not permit termination or reduction of the local pledge based on specified actions by the Secretary. These provisions are singularly and unquestionably aimed at the Unified Government's February 5, 2026 pledge ordinance and the conditions therein.

44. The Act also says that the local pledge also may not conflict with the December 22, 2025 agreement between the State and the Chiefs.

45. Accordingly, the Unified Government can obtain a mayoral voice on the Authority only by surrendering legislative discretion over local revenues on the terms prescribed by the State and the private team's contractual agreement.

46. Under amended K.S.A. 12-17,164(a)(1)(B), an ordinance or resolution electing to participate in the STAR bond project must be passed no later than 60 days after Legislative Coordinating Council approval of the agreement, or the Secretary may proceed without the city's participation.

The Act's Impact on the Unified Government's Local Powers

47. Section 5(b)(1)(B) of the Act declares property owned, acquired, or otherwise used by the Authority to be "exclusively used for state purposes" within the meaning of Article 11, § 1(b) of the Kansas Constitution. The sole purpose of this conclusory provision is to provide a foundation to exempt the Authority's property from property taxes.

48. Section 5(b)(1)(C) exempts Authority property used for a sports facility, sports-facility infrastructure, or other public purposes from property and general ad valorem taxes and exempts Authority projects and operations from identified taxes and assessments.

49. Section 5(c)(3) exempts "[a]ll sales of tangible personal property or services purchased for the purpose of and in conjunction with the constructing, equipping or furnishing of a sports facility or sports facility infrastructure by the authority. . .from sales or use tax imposed by the state, any county, city, town, public corporation or agency or subdivision or instrumentality thereof."

50. The foregoing provisions remove from the local tax base what would be one of the largest commercial developments in Wyandotte County.

51. Section 5(c)(4) provides that the Authority “may, but shall not be required to, consult with local governments” regarding project planning and development.

52. The same subsection provides that “no such consultation shall confer approval authority or regulatory jurisdiction on any city, county, township or other political subdivision of the state.”

53. Section 5(c)(4) thereby displaces the Unified Government’s planning and development authority over Authority projects located within its borders. Although Section 5(c)(4) makes K.S.A. 75-3741c(a), concerning competitive bidding on state capital improvement projects, applicable to Authority projects, that provision does not substitute an equivalent comprehensive regime for local planning and development.

54. Section 3(d)(1)(A)-(C) conditions the Unified Government’s ability to participate as a member of the Authority upon relinquishing local control of its pledge of local tax revenue with respect to the STAR bond project financing.

55. Section 3(d)(1)(C)(i)-(iii) limits the Unified Government’s ability to tailor its revenue pledge of “local sales, use or transient guest tax revenue,” stipulating that the pledge cannot “limit or restrict[] the secretary’s authority to establish or modify a STAR bond project district,” “provide[] for the termination or reduction of such local pledge,” or otherwise “conflict[] with the terms and conditions set forth in the December 22, 2025 agreement, and executed by the Kansas city chiefs football club, inc. and the state of Kansas.”

56. Section 3(d)(2) then “expressly condition[s]” mayoral Authority membership “upon the continued satisfaction of the requirements set forth in subparagraphs (1)(A), (B), and (C)[.]”

57. Section 5(d)(1) provides that “[t]he authority may employ persons, consult for services, including legal services, and utilize employees and consultants retained by other governmental entities as necessary to carry out the authority’s functions” and may otherwise “enter into agreements with other governmental entities or third parties” to do so.

58. Section 5(d)(2) provides that “[t]he provisions of the retail electric suppliers act, K.S.A. 66-1,170, et seq., and amendments thereto, shall not apply to the provision of electric service to the authority.”

59. Section 5(d)(2) authorizes the Authority to “negotiate or otherwise obtain utility and energy services,” but requires the Authority to obtain electric service “from a retail electric provider, as defined in the retail electric suppliers act, that already provides electric service in one or more certified territories in Kansas.”

60. BPU is a retail electric service provider under K.S.A. 66-1,170(d) and holds an exclusive Kansas Corporation Commission (“KCC”) certified service territory that spans roughly 127.5 square miles of Wyandotte County, Kansas.

61. Section 5(d)(2) provides that “[t]he provision or receipt of such utility and energy services shall not be subject to any fee or exactions imposed by local ordinance.”

62. “Sports facility infrastructure” under Section 2(h) includes Authority-owned utilities, including “water, sanitary sewer, storm sewer, electrical, gas, telecommunications, fiber, and related distribution systems.”

63. Section 5(d)(2)’s authority to “negotiate or otherwise obtain utility and energy services” without local fees or exactions therefore threatens the BPU’s water-service revenues and associated charges as well as its electric-service revenues.

64. These provisions unconstitutionally strip the BPU of utility-territory protections and local fee-setting authority that every other Kansas municipality and territorial utility retain under generally applicable law.

65. The combined effect is to exempt a project centered on a private professional football franchise from local taxation, local land-use regulation, the local utility's exclusive service rights, and locally imposed utility-related fees and exactions.

66. The Act permits private use and control of Authority facilities.

67. Section 3(j) provides that the executive director's compensation "shall be paid from rents paid to the authority by the professional sports team."

68. Section 5(c)(1) permits the Authority to "delegate such duties through an agreement, subject to the rights and obligations transferred to and assumed by the authority, to a professional sports team, other user, third-party manager or program manager."

69. Section 5(f) provides that a use agreement may grant the other contracting party "exclusive use of the premises at the times agreed upon" and the right to retain "some or all revenues from ticket sales, suite licenses, personalized seat licenses, concessions, advertising, naming rights, professional sports team designated broadcast or media, club seats, signage and other revenues derived from a sports facility."

70. Section 5(m) permits a lease or use agreement to provide for "[c]onveyance of the sports facility and related improvements to the professional sports team," with the team assuming associated costs, liabilities, and obligations.

71. Section 6(b) gives the professional sports team "scheduling priority."

The Board of Public Utilities and Utility Territory

72. K.S.A. 66-1,170(d) defines “retail electric supplier” to mean “any person, firm corporation, municipality, association or cooperative corporation engaged in the furnishing of retail electric service.”

73. The BPU is a publicly owned municipal utility that provides electric and water service within Kansas City, Kansas. Its enabling authority includes K.S.A. 13-1220 et seq.

74. The state’s Kansas Retail Electric Suppliers Act (“RESA”) statutes, K.S.A. 66-1,170 et seq., divide Kansas into exclusive electric-service territories. Within each territory “only one retail electric supplier shall provide retail electric service,” K.S.A. 66-1,172, and no supplier may “furnish, make available, render or extend its retail electric service” to facilities in another supplier’s certified territory, K.S.A. 66-1,173. RESA thereby encourages orderly development, avoids duplicative facilities, conserves resources, and reduces territorial disputes.

75. K.S.A. 66-1,174 supplies special protection to city-owned utilities by withholding Kansas Corporation Commission authority over a city-owned utility within the city’s corporate limits. K.S.A. 66-131 likewise provides that “[i]n no event” may the Commission’s jurisdiction reach “the facilities or rates charged for services or in any way the operation of” a municipally owned electric utility within the city’s corporate limits.

76. K.S.A. 66-104(c) likewise provides that regulation of a city-owned utility within the city limits—and in the circumstances specified by that statute—“shall be vested exclusively in such city.”

77. The BPU holds the exclusive right to provide retail electric service within its territory, including the area in which the contemplated stadium project would be constructed.

78. By virtue of these provisions, a city “is the acknowledged and lawful electric supplier within the corporate limits” of the municipality. *See In the Matter of the Application of the City of Moundridge*, Docket No. 18-MDRE-336-COC, at *2 (Kan. Corp. Comm’n 2018).

79. For one territory and one municipally-owned utility in the State of Kansas, Section 5(d)(2) overrides both RESA’s statewide territorial framework and the specific protections Kansas law provides to city-owned utilities.

80. It permits the Authority to bypass the BPU and select an outside provider for a major commercial customer located within the BPU’s own territory, which necessarily requires that the outside provider’s power be wheeled across or through the BPU’s territory or delivered over duplicative facilities constructed inside it.

81. Section 5(d)(2) provides no compensation to the BPU for the loss or impairment of those service rights.

82. RESA contains annexation and territorial-change provisions, including K.S.A. 66-1,176, that require notice, negotiation of a franchise, the city’s “final selection” of the supplier within the annexed area, and “fair and reasonable” compensation to a utility losing service rights. In one territory and for one municipality-owned utility in the State, the legislature bypassed those procedures for the Authority and, contrary to them, placed the selection of a supplier inside city limits in the hands of the Authority rather than the city.

PILOT (Payment in Lieu of Taxes) Provisions

83. Sections 5(b)(1)(B) and (C), together with Section 5(d)(2), exempt Authority property from property and general ad valorem taxes and prevent local utility-related fees or exactions from being imposed on the provision or receipt of utility and energy services.

84. Section 5(c)(3) separately exempts sales of tangible personal property or services purchased for constructing, equipping, or furnishing a sports facility or sports facility infrastructure from sales and use taxes imposed by the state, any county, city, town, public corporation, agency, subdivision, or instrumentality.

85. That sales and use tax exemption continues until repayment in full of all bonds issued to finance the facility and infrastructure under the December 22, 2025 agreement between the State and the Kansas City Chiefs Football Club, Inc., in the aggregate principal amount authorized by that agreement.

86. The BPU's payment-in-lieu-of-taxes structure ("PILOT") is a charge established by the Unified Government through applicable rate schedules, ordinances, resolutions, or other governing instruments, and supports local governmental services.

87. The PILOT is a local utility charge associated with the BPU's services.

88. Exempting a multi-billion-dollar professional football stadium from comparable local obligations while public institutions with stronger claims to a public purpose remain subject to PILOT obligations demonstrates the non-uniform character of the Act.

89. Questions concerning payments in lieu of taxes and the merits of particular projects are matters of uniquely local concern better suited to determination by local governing bodies than by the state legislature. *See Kan. Const. art. 12, § 5.*

90. For one municipality in the State of Kansas, the Act removes the Unified Government's authority over this local matter and directs the resulting benefit to a project whose principal tenant and beneficiary is a private NFL franchise.

91. The resulting significant loss includes property-tax revenue in assessed value and the loss of local PILOT and fee authority.

Non-Uniformity and Targeting Project-Cities

92. The Authority Act defines professional sports exclusively as the National Football League and restricts the Authority from doing business with any other professional sport or franchise.

93. The Act gives controlling legal effect to a specific contract—the December 22, 2025 agreement between the State and the Chiefs.

94. The December 22, 2025 agreement provides that the major professional sports stadium complex would be located in Kansas City, Kansas, within Wyandotte County and a practice facility would be located in Olathe, Kansas.

95. The challenged displacement of local taxing, regulatory, fee-setting, and utility-territory powers is not a law uniformly applicable to all Kansas cities. Its ostensibly general terms, read as a whole and in practical operation, identify a single private franchise, a single contemplated project, a single agreement, and discrete localities.

96. The Act's class is closed. Section 4(c) provides that “[n]othing in this act shall authorize the authority to enter into any contract, agreement or business relationship with any other professional sport or franchise other than a professional sports team that is a franchised member of the national football league engaged in the business of professional American football,” and that “[a]ny such action taken by the authority in violation of the provisions of this act is null and void.”

97. Sections 8(a) and 5(c)(3) are keyed to the single executed the December 22, 2025 agreement the Kansas City Chiefs Football Club, Inc. and the State of Kansas.

98. Section 3(d)(1)(C)(iii) likewise conditions local representation in the Authority on a pledge that does not conflict with that contractual agreement.

99. The Act’s displacement of local powers operates only in cities where an Authority sports facility is located, and Section 3(d)(1) limits participation to no more than “up to two cities.”

100. Section 8(a) expressly provides that, insofar as the Act is inconsistent with any other law, “whether general, specific or local, the provisions of this act shall be controlling.”

101. The Act thus purports to override local ordinances, including charter ordinances, governing local utility fees, exactions, PILOT obligations, taxation, and related municipal affairs.

102. All other Kansas municipalities remain subject to the generally applicable legal framework and retain the local powers that HB 2466 removes from the Unified Government.

CAUSES OF ACTION

COUNT I: HOME RULE—OVERRIDE OF LOCAL UTILITY FEES, EXACTIONS AND PILOT (Kan. Const. art. 12, § 5)

103. The Unified Government incorporates by reference the allegations of all preceding paragraphs as though fully set forth herein.

104. Section 5(d)(2) provides that the provision or receipt of utility and energy services to the Authority “shall not be subject to any fee or exactions imposed by local ordinance.” That provision directly overrides the Unified Government’s ordinances and other local enactments imposing utility charges, franchise fees, PILOT obligations, or related exactions on services supplied to property within the Unified Government. These ordinances and other local enactments have been in place for years and are a vital source of revenue for the Unified Government.

105. Section 8(a) further provides that, “[i]nsofar as the provisions of this act are inconsistent with the provisions of any other law, whether general, specific or local, the provisions of this act shall be controlling.”

106. For one municipality in the State of Kansas, the Act therefore purports to preempt local ordinances, including charter ordinances, that impose or preserve utility fees, franchise fees, PILOT obligations, or related exactions.

107. Article 12, § 5(b) empowers cities to determine their local affairs and government, including the levying of taxes, excises, fees, charges, and other exactions, except when and as the levying of any such tax, excise, fee, charge, or other exaction is limited or prohibited by an enactment of the legislature applicable uniformly to all cities of the same class.

108. Section 5(d)(2) operates only where the Authority obtains service—that is, only in a city where an Authority sports facility or sports facility infrastructure is located—and therefore does not limit or prohibit utility fees and exactions uniformly for all cities of the same class as the Unified Government.

109. The first reference point for determining whether an enactment is uniformly applied remains “the entire enactment, not the specific statutory section from which a City has attempted to exempt itself.” *Farha v. City of Wichita*, 161 P.3d 717, 728 (Kan. 2007).

110. Where the levy, fee, or exaction exception applies, the comparison is to “all cities of the same class.” *Id.*

111. The Act also prevents local utility-related fees and exactions from applying to the Authority, including charges associated with water, sanitary sewer, storm sewer, electrical, gas, and related distribution systems within the statutory definition of sports facility infrastructure.

112. The Act’s departure from RESA’s framework, including K.S.A. 66-1,176’s provisions concerning negotiation, franchise arrangements, and “fair and reasonable” compensation, confirms the non-uniformity of the Authority-specific exception.

113. Sections 5(d)(2) and 8(a) are not uniform enactments, do not preempt the Unified Government’s ordinances, charter ordinances, and rate instruments, and do not apply to the Unified Government by virtue of Charter Ordinance No. CO-01-26 and Charter Resolution No. CR-02-26.

114. The resulting and threatened injuries include loss of local utility charges, franchise fees, PILOT revenue, water-service revenue, electric-service revenue, and any compensation that would otherwise accompany a territorial displacement, as well as the uncompensated impairment of established local service and revenue interests.

**COUNT II: HOME RULE AND STATUTORY JURISDICTION—IMPERMISSIBLE
INVASION OF THE BPU’S EXCLUSIVE SERVICE TERRITORY
(Kan. Const. art. 12, § 5; art. 2, § 17; K.S.A. 66-104; K.S.A. 66-131; K.S.A. 66-1,170 et seq.)**

115. The Unified Government incorporates by reference the allegations of all preceding paragraphs as though fully set forth herein.

116. Section 5(d)(2) declares that RESA “shall not apply to the provision of electric service to the authority,” empowers the Authority to “negotiate or otherwise obtain utility and energy services,” and permits the Authority to take electric service from any retail electric provider “that already provides electric service in one or more certified territories in Kansas”—including a supplier whose certified territory lies outside Wyandotte County.

117. The Section 5(d)(2) exemption is not uniform. It benefits one Authority associated with one NFL project and authorizes wheeling into, and bypass of, one city-owned utility’s exclusive territory, while RESA, K.S.A. 66-104, and K.S.A. 66-131 continue to protect all other certified service territory and every other municipal utility in Kansas.

118. Because the contemplated stadium site lies within the corporate limits of Kansas City, Kansas and within the BPU’s exclusive service territory, any electric service to the Authority from a supplier other than the BPU must be “wheeled”—that is, transmitted and delivered across

or through the BPU’s territory and facilities—or must be delivered over new, duplicative lines constructed inside the BPU’s territory to bypass the BPU altogether. Either way, Section 5(d)(2) authorizes a foreign supplier to furnish retail electric service to an electric consuming facility located inside the BPU’s territory. This is expressly prohibited under Kansas law.

119. Under K.S.A. 66-1,172, “[w]ithin each such territory, only one retail electric supplier shall provide retail electric service,” and the territory “shall be provided retail electric service exclusively by such supplier.”

120. Under K.S.A. 66-1,173, every retail electric supplier “shall have the exclusive right and responsibility to furnish retail electric service to all electric consuming facilities located within its certified territory, and shall not furnish, make available, render or extend its retail electric service to a consumer for use in electric consuming facilities located within the certified territory of another retail electric supplier.” *See Wheatland Elec. Coop., Inc. v. City of Garden City*, 504 P.3d 447, 452 (Kan. App. 2021) (certified supplier “has the exclusive right to provide electricity in its territory, and it may not extend its service into the territory of another supplier”).

121. For nearly fifty years, RESA has prohibited one supplier from serving customers in another’s territory, subject only to narrow exceptions not applicable here. RESA’s exclusivity serves to encourage orderly development of electric service, avoid wasteful duplication of lines and facilities, prevent cluttering of the landscape, conserve resources, and reduce territorial disputes. For the Act to allow wheeling into, or construction of bypass facilities within, the BPU’s territory defeats each of those purposes.

122. Kansas law gives city-owned utilities a further, independent layer of protection. K.S.A. 66-104(b) provides that “[n]othing in this act shall apply to a municipally owned or operated utility, or portion thereof, located within the corporate limits of such municipality,” and

K.S.A. 66-104(c) provides that the power to control and regulate utilities operated within a city “shall be vested exclusively in such city.”

123. K.S.A. 66-131 provides that “[i]n no event” shall the Commission’s jurisdiction authorize it “to review, consider or effect the facilities or rates charged for services or in any way the operation of such municipally owned or operated electric or gas utility within the corporate limits” of the city.

124. And K.S.A. 66-1,174 confines RESA’s regulatory reach to areas outside city limits. *See Wheatland*, 504 P.3d at 452 (RESA “limits the jurisdiction of the Commission to areas outside the corporate boundaries of a city”).

125. The Kansas Corporation Commission (“KCC”) has recognized this framework, acknowledging that “[b]y virtue of K.S.A. 66-131 and K.S.A. 66-1,174, the City is the acknowledged and lawful electric supplier within the corporate limits” of its municipality, and that “the issuance of a Certificate by the Commission is neither necessary nor required” for a municipal utility operating within its city limits. *In the Matter of the Application of the City of Moundridge*, Docket No. 18-MDRE-336-COC, at *2 (2018).

126. Section 5(d)(2) therefore does something neither RESA nor the Commission could do: it reaches inside the corporate limits of Kansas City, Kansas and strips the BPU of its exclusive right to serve a customer located within the BPU’s own territory. For one territory in the State, the Legislature has thereby displaced a sphere that Kansas statutes have expressly reserved to the city’s exclusive control.

127. Where Kansas law does permit a change in a supplier’s territory, it does so through an orderly process. Upon annexation, K.S.A. 66-1,176 requires notice, negotiation of a franchise under K.S.A. 12-2001 et seq., the city’s “final selection of which supplier receives a franchise to

operate within the annexed area,” and “fair and reasonable” compensation to a displaced supplier, with district-court determination if disputed. Under that framework, the city—not a third party—selects the supplier inside city limits. Section 5(d)(2) inverts that rule and transfers the selection to the Authority, without notice, franchise, or compensation.

128. Operation of the BPU’s electric system within the city is a core local affair under Article 12, § 5(b), as the legislature confirmed in K.S.A. 66-104(c) and 66-131.

129. Section 5(d)(2) is clearly not uniformly applicable to all cities: it applies only to service “to the authority,” an entity whose facilities may be located in “up to two cities” and whose sole contemplated stadium lies in Kansas City, Kansas. It leaves RESA and the municipal-utility protections intact for every other city and every other utility in Kansas. It therefore cannot override the Unified Government’s home-rule authority over the BPU, and the Unified Government has exempted itself from Section 5(d)(2) by Charter Ordinance No. CO-01-26 and Charter Resolution No. CR-02-26.

130. Independently, RESA and K.S.A. 66-104 and 66-131 are laws of a general nature. Section 5(d)(2) suspends them for a single customer in a single municipal utility’s territory and therefore lacks uniform operation throughout the state, in violation of Article 2, § 17.

131. The threat is imminent.

132. The Unified Government and the BPU are injured by the loss of exclusive service rights to a very large electric consumer in Wyandotte County, the uncompensated stranding of BPU facilities and investment, the risk of duplicative facilities within the BPU’s territory, and the displacement of the city’s statutory and constitutional authority over its municipal utility.

**COUNT III: HOME RULE—CHARTER ORDINANCE REMEDY AND NON-
UNIFORM LEGISLATION
(Kan. Const. art. 12, § 5)**

133. The Unified Government incorporates by reference the allegations of all preceding paragraphs as though fully set forth herein.

134. Article 12, § 5(b)–(d) of the Kansas Constitution grants cities the power to determine their local affairs and government, including the levying of taxes, excises, fees, charges, and other exactions, and requires liberal construction to secure the largest measure of self-government.

135. Under Article 12, § 5(c), a city may by charter ordinance exempt itself from a non-uniform enactment.

136. “Legislative intent to preempt a field is alone insufficient” and “[i]f not uniform, legislative intent as expressed within the enactment will not overcome the constitutional requirement for uniform application.” *City of Junction City v. Griffin*, 607 P.2d 459, 464 (Kan. 1980).

137. “The legislature may preempt the constitutional powers of cities only in the manner prescribed in the constitution.” *Id.* And, “[a]s between the will of the people expressed in the constitution, and that expressed in the statute, the former always prevails.” *Id.* (quoting *State, ex rel Goodin v. Thoman*, 10 Kan. 191, 197 (Kan. 1872)).

138. Home rule does not authorize cities to act “where the state legislature has precluded municipal action by clearly preempting the field with a uniformly applicable enactment.” *State ex rel. Kline v. Unified Gov’t of Wyandotte Cnty. and Kansas City, Kansas*, 85 P.3d 1237, 1244 (Kan. 2004) (quoting *Kansas City Renaissance Festival Corp. v. City of Bonner Springs*, 8 P.3d 701, 703 (Kan. 2000)).

139. Conversely, “where there is a nonuniform legislative enactment that is in conflict with the action a city wants to take, a charter ordinance may be used to exempt the city from the legislative enactment.” *Renaissance Festival Corp.*, 8 P.3d at 703.

140. “The first reference point for determining whether an enactment is uniformly applied remains the entire enactment, not the specific statutory section from which a City has attempted to exempt itself.” *Farha*, 161 P.3d at 728.

141. For the tax, fee, or exaction exception, the comparison is to “all cities of the same class.” *Id.*

142. Article 12, § 5(d) requires liberal construction of municipal powers to secure the largest measure of self-government.

143. Legislative intent “should be clearly evident before the courts should deny a city the right to exercise home rule power in that area.” *Clafin v. Walsh*, 509 P.2d 1130, 1135 (Kan. 1973).

144. HB 2466 unconstitutionally inhibits, restricts, and removes the Unified Government’s local autonomy, taxing authority, regulatory jurisdiction, fee-setting prerogatives, PILOT authority, and utility-service territory rights.

145. The Act is not uniformly applicable to all cities. Its NFL-only scope, incorporation of a specific agreement with the Chiefs, closed practical class, and project-specific consequences target Kansas City, Kansas.

146. The enactment is non-uniform whether measured as the whole of HB 2466 or as Sections 1 through 8.

147. The Act’s Section 8(a) language cannot override the Kansas Constitution’s home-rule protections or foreclose the Article 12, § 5(c) charter-ordinance remedy.

148. “Legislative intent to preempt a field is alone insufficient,” and “[i]f not uniform, legislative intent as expressed within the enactment will not overcome the constitutional requirement for uniform application.” *Junction City*, 607 P.2d at 464.

149. On October 8, 2026, the Unified Government adopted Charter Ordinance No. CO-01-26 and Charter Resolution No. CR-02-26.

150. The charter ordinance exempts the Unified Government from the following non-uniform provisions of HB 2466: New Sections 3(d)(1)(A), 3(d)(1)(B), 3(d)(1)(C), 3(d)(2), 5(b)(1)(B), 5(b)(1)(C), 5(c)(3), 5(c)(4), 5(d)(1), 5(d)(2), AND 8(a).

151. The charter ordinance is valid and will be controlling with respect to a non-uniform enactment.

152. The Unified Government is injured by the present and threatened loss of taxing authority, regulatory jurisdiction, local fee-setting and PILOT power, and utility-service rights.

**COUNT IV: HOME RULE—CONDITIONAL MAYORAL MEMBERSHIP AND
COERCED SURRENDER OF LOCAL REVENUE AUTHORITY
(Kan. Const. art. 12, § 5; art. 2, § 17)**

153. The Unified Government incorporates by reference the allegations of all preceding paragraphs as though fully set forth herein.

154. Section 3(d)(1) provides that “[t]he mayors of up to two cities where a sports facility of the authority is located may each appoint a member, that may be themselves, to the authority if” three conditions are satisfied: (A) the city “passes an ordinance electing to participate in a STAR bond project as defined in K.S.A. 12-17,162(aa)(2); (B) “such participation is not withdrawn, repealed, terminated or rendered ineffective;” and (C) the “city’s pledge of applicable local sales, use or transient guest tax revenue is not conditioned in a manner that: (i) [l]imits or restricts the secretary’s authority to establish or modify the STAR bond project district;” (ii) “provides for termination or reduction of the local pledge based on” the Secretary’s actions, or

“conflicts with the terms and conditions set forth in the December 22, 2025 agreement, and executed by the Kansas city chiefs football club, inc. and the state of Kansas.”

155. Section 3(d)(2) further provides that “[s]uch membership shall be expressly conditioned upon the continued satisfaction of the requirements set forth in subparagraphs (1)(A), (B) and (C) above.” Under Section 3(g), each member serves at the pleasure of the appointing authority.

156. By contrast, every other voting member of the Authority—including the gubernatorial appointee, the six legislative-leadership appointees, the Secretary of Commerce, and the professional sports team’s own representative—holds membership under Section 3(b) without any condition requiring the appointing authority to pledge revenue, surrender legislative discretion, or conform to the December 22, 2025 agreement. Even the Secretary, a party to the December 22, 2025 agreement, retains voting membership whether or not the State/Department of Commerce complies with that agreement.

157. Section 3(d) operates together with amended K.S.A. 12-17,164(a)(1)(B), under which a participation ordinance must be passed within 60 days after Legislative Coordinating Council approval of the agreement, “shall not be subject to amendment” except upon the Secretary’s written request and finding, and may be amended without any additional public hearing. Failing timely participation, the Secretary may proceed without the city.

158. The Unified Government adopted a conditional participation ordinance on February 5, 2026, which was published and executed on February 12, 2026.

159. Under Sections 3(d)(1)(B)-(C) and 3(d)(2), any condition the Unified Government has placed, or may place, on its pledge to protect local revenues, or any later decision by its

governing body to modify, withdraw, or repeal its participation, would extinguish the Unified Government's only voice on the Authority.

160. Article 12, § 5(b) empowers cities to determine their local affairs and government, including the levying of taxes, excises, fees, charges, and other exactions, subject only to limitations imposed by enactments applicable uniformly to all cities of the same class. The decision whether, and on what terms, to pledge local sales, use, and transient guest tax revenues is an exercise of that local legislative and taxing power.

161. Section 3(d) does not apply uniformly to all cities of the same class. It applies only to “up to two cities” where an Authority sports facility is located, and it conditions those cities’ representation on conformity with a single, dated agreement between the State and the Chiefs. At most, it reaches only Kansas City, Kansas and Olathe, Kansas. As a practical matter, it only reaches the Unified Government because Section 3(d) of the Act is designed not to consider the City of Olathe’s more limited conditions.

162. Because it is not uniform, Section 3(d) cannot limit the Unified Government’s home-rule authority over its local revenue pledges. “If not uniform, legislative intent as expressed within the enactment will not overcome the constitutional requirement for uniform application.” *Junction City*, 607 P.2d at 464.

163. The Legislature may not accomplish indirectly—by conditioning local representation on the surrender of local fiscal discretion—what Article 12, § 5 forbids it to accomplish directly through a non-uniform enactment.

164. Section 3(d) also subordinates the local governing body’s legislative judgment to the Secretary of Commerce and to the terms of a private party’s agreement. A city’s pledge may not protect local revenues against the Secretary’s unilateral modification of the STAR bond project

district, and may not deviate from the December 22, 2025 agreement, on pain of losing the city's seat.

165. Those conditions bind future governing bodies and thereby restrict the Unified Government's continuing authority to legislate on matters of local revenue.

166. Independently, Section 3(d) violates Article 2, § 17.

167. Representation of the affected local governments on the Authority is a subject of general nature, yet Section 3(d) imposes revenue-pledge and agreement-conformity conditions only on the project localities, while every state-appointed and private-party member serves unconditionally. The closed class and agreement-specific conditions confirm that Section 3(d) does not have uniform operation throughout the state.

168. Sections 3(d)(1)(A)-(C) and 3(d)(2) are non-uniform enactments from which the Unified Government has exempted itself by Charter Ordinance No. CO-01-26 and Charter Resolution No. CR-02-26. Those provisions therefore do not condition, limit, or terminate the Unified Government's right to appoint a member of the Authority under Section 3(d)(1), and the Unified Government's exercise of its home-rule authority over its local revenue pledge cannot be the basis for terminating that membership.

169. The Unified Government is injured because Section 3(d) forces it to choose between surrendering legislative discretion over its local revenues and forfeiting its only representation on a governmental body that the Act says should exercise taxing, regulatory, land-use, and utility powers within its borders.

**COUNT V: VIOLATION OF HOME RULE—STRIPPING OF LOCAL REGULATORY
JURISDICTION
(Kan. Const. art. 12, § 5)**

170. The Unified Government incorporates by reference the allegations of all preceding paragraphs as though fully set forth herein.

171. Section 5(c)(4) eliminates the Unified Government's approval authority and regulatory jurisdiction over Authority projects within the Unified Government's boundaries.

172. Land-use planning, zoning, building regulation, and development approval are fundamental local governmental functions.

173. That displacement set forth in Section 5(c)(4) reaches zoning, planning, building-code, permitting, and land-use authority over a major development project located inside Kansas City, Kansas. K.S.A. 75-3741c(a) does not provide an equivalent comprehensive zoning, land-use, permitting, planning, or building-code regime.

174. Home rule does not authorize cities to act "where the state legislature has precluded municipal action by clearly preempting the field with a uniformly applicable enactment." *Kline*, 85 P.3d at 1241.

175. Section 5(c)(4) is not such a uniformly applicable enactment.

176. Article 12, § 5(c)(1) requires uniformity even when an enactment concerns a subject characterized as statewide concern.

177. "If not uniform, legislative intent as expressed within the enactment will not overcome the constitutional requirement for uniform application." *Junction City*, 607 P.2d at 464.

178. Section 5(c)(4) affirmatively withdraws city approval authority and regulatory jurisdiction while benefiting a private operation. The private operation is reinforced by Section 5(c)(1)'s delegation authority, Section 5(f)'s exclusive-use and revenue provisions, and Section 6(b)'s scheduling priority.

179. Section 5(c)(4) removes those functions through a non-uniform enactment directed in practical operation to one project, without providing an equivalent statewide regulatory framework.

180. Section 5(c)(4) therefore violates Article 12, § 5 of the Kansas Constitution.

181. The Unified Government is injured by the complete loss of local regulatory control over an exceptionally large development project within its borders.

**COUNT VI: SPECIAL LEGISLATION—CLOSED CLASS
(Kan. Const. art. 2, § 17)**

182. The Unified Government incorporates by reference the allegations of all preceding paragraphs as though fully set forth herein.

183. Article 2, § 17 of the Kansas Constitution provides: “All laws of a general nature shall have a uniform operation throughout the state: Provided, The legislature may designate areas in counties that have become urban in character as ‘urban areas’ and enact special laws giving to any one or more of such counties or urban areas such powers of local government and consolidation of local government as the legislature may deem proper.”

184. The proviso permits laws “giving” powers of local government and consolidation of local government. HB 2466 instead withdraws local powers and vests them in an Authority subordinated to a private agreement under Sections 5(j) and 8(a). The Act neither designates an urban area nor consolidates government.

185. The subjects addressed by HB 2466 are governed by laws of a general nature, including Article 11, § 1 and K.S.A. chapter 79 concerning taxation; K.S.A. 12-187 et seq. concerning local sales and use taxes; RESA, K.S.A. 66-1,170 et seq.; and K.S.A. 66-104(c) and 66-1,174 concerning city-owned utilities.

186. The Act carves one project out of each generally applicable framework and does not operate uniformly throughout Kansas.

187. Instead, the Act targets distinct localities through NFL-only definitions, its reference to the singular “professional sports team,” the December 22, 2025 agreement with the Chiefs, and consequences that attach to the contemplated project’s location.

188. RESA is a law of a general nature that applies across Kansas electric-service territories, and K.S.A. 66-104 and 66-131 are laws of a general nature protecting every municipal utility within its city limits. Section 5(d)(2) creates a project-specific exception that singularly opens the BPU’s territory to wheeling and bypass and eliminates the franchise, selection, and compensation framework otherwise available under RESA.

189. The Act’s practical effect—diminishing the governmental powers of project localities while leaving those of other municipalities intact—is the essence of impermissible special legislation. The Act’s closed class is reinforced by Section 4(c), which voids action taken in violation of its NFL-only restriction, Section 8(a)’s control by the Act over inconsistent local law, and the agreement-specific bond sunset for the sales and use tax exemption.

190. HB 2466, including Sections 4(c), 5(d)(2), 5(c)(3), and 8(a), violates Article 2, § 17 of the Kansas Constitution.

191. The Unified Government is injured because it is targeted for diminished authority and loss of generally applicable utility-territory protections.

**COUNT VII: UNCONSTITUTIONAL PROPERTY-TAX EXEMPTION AND REVENUE
DIVERSION
(Kan. Const. art. 11, § 1(b); art. 12, § 5)**

192. The Unified Government incorporates by reference the allegations of all preceding paragraphs as though fully set forth herein.

193. Article 11, § 1(b) of the Kansas Constitution provides: “All property used exclusively for state, county, municipal, literary, educational, scientific, religious, benevolent and charitable purposes . . . shall be exempted from property taxation.”

194. “Taxation is the rule, and exemption therefrom the exception,” and tax exemptions must be strictly construed against the claimant. *In re Lietz Constr. Co.*, 47 P.3d 1275, 1286 (Kan. 2002).

195. The Article 11, § 1(b) exemption turns on actual use. Section 5(b)(1)(B), however, “deems” property owned, acquired, or otherwise used by the Authority to be “exclusively used for state purposes” regardless of the property’s actual use.

196. The term “exclusively” imposes a demanding limitation that cannot be satisfied merely by attaching a public label to property primarily used for private commercial enterprise.

197. Exclusive team use, retention of commercial revenues, team scheduling priority, potential conveyance to the team, and compensation funded by team rents are inconsistent with treating all Authority-used property as exclusively used for purported state purposes.

198. The categorical “deeming” rule in Section 5(b)(1)(B) is invalid as applied because the property is not used exclusively for the constitutional purposes identified in Article 11, § 1(b).

199. The contemplated stadium’s primary tenant and principal commercial beneficiary is a private National Football League franchise.

200. Sections 5(b)(1)(B) and (C), reinforced by Section 5(d)(2), eliminate local property-tax, PILOT, fee, and assessment authority for a project substantially serving a private franchise.

201. To the extent Sections 5(b)(1)(B) and (C), and related provisions, regulate local PILOT, fees, or other exactions, they are non-uniform limits on the Unified Government’s home-rule authority. Under *Farha v. City of Wichita* and the Unified Government’s Charter Ordinance No. CO-01-26 and Charter Resolution No. CR-02-26, those provisions cannot preempt the Unified Government’s local authority.

202. The Unified Government is injured by the loss of property-tax revenue associated with potentially billions of dollars in assessed value and by the loss of authority over PILOT and related local exactions.

COUNT VIII: LOCAL SALES AND USE TAX EXEMPTION
(Kan. Const. art. 12, § 5; art. 2, § 17)

203. The Unified Government incorporates by reference the allegations of all preceding paragraphs as though fully set forth herein.

204. Section 5(c)(3) exempts all sales of tangible personal property or services purchased for the purpose of and in conjunction with constructing, equipping, or furnishing a sports facility or sports facility infrastructure from sales and use taxes imposed by the state, any county, city, town, public corporation, agency, subdivision, or instrumentality.

205. The exemption continues until repayment in full of all bonds issued to finance a sports facility and sports facility infrastructure under the December 22, 2025 agreement between the State and the Kansas City Chiefs Football Club, Inc., in an aggregate principal amount equal to the maximum amount authorized under that agreement.

206. Section 5(c)(3) is a levy and exaction limitation tied to one Authority project and the December 22, 2025 agreement.

207. The provision is non-uniform; the Unified Government may opt out by Charter Ordinance No. CO-01-26 and Charter Resolution No. CR 02-26; and, alternatively, the project-specific exemption violates Article 2, § 17.

208. The exemption is not a generally applicable rule for Kansas cities; it is tied to the Authority, the contemplated project, and repayment of bonds under one dated private-party agreement.

209. The Unified Government is injured by the resulting loss of local sales and use tax revenue and fiscal control.

**COUNT IX: IMPROPER DELEGATION OF GOVERNMENTAL POWER TO A
PRIVATE ENTITY
(Kan. Const. art. 2, § 1)**

210. The Unified Government incorporates by reference the allegations of all preceding paragraphs as though fully set forth herein.

211. Article 2, § 1 of the Kansas Constitution vests legislative power in the Kansas Legislature and embodies separation-of-powers and political-accountability principles.

212. Section 3(b)(9) gives the Chiefs, a private corporation, the power to appoint a permanent voting member of the Authority’s governing board.

213. The team selects and replaces its representative without appointment or confirmation by a public official accountable to Kansas voters.

214. The Authority exercises governmental powers over public funds, tax-favored property, development and management of public facilities, contracts, utilities, and regulatory exemptions, and it may operate outside ordinary competitive-bidding requirements to the extent provided by the Act. Section 5(j) permits incidental powers only if they do not conflict with an agreement between the Authority and the professional sports team.

215. Section 5(j) conditions the Authority’s incidental powers on the absence of a conflict with “any agreement between the authority and the professional sports team.” The private agreement therefore defines the boundary of otherwise governmental powers.

216. Section 8(a) separately provides that the Authority’s powers “shall not be exercised in a way that conflicts with the terms and conditions” of the December 22, 2025 agreement executed by the Chiefs and the State of Kansas.

217. Sections 5(j) and 8(a) make the private agreement the practical limits of public power. Section 3(n) further permits the Authority, notwithstanding the Kansas open meetings act, to act by written consent “signed by all voting members” whenever it deems immediate action required, giving the professional sports team’s appointee a veto over any action taken through that mechanism.

218. The professional sports team is the principal private beneficiary of the Authority’s operation, giving its self-appointed representative an obvious and perpetual structural conflict of interest in matters concerning the team’s facility, agreements, utilities, and financial interests.

219. Although the legislature may delegate appropriate functions to public administrative agencies, delegation of governmental power to a private group is generally improper. *See Gumbhir v. Kansas State Bd. of Pharmacy*, 618 P.2d 837, 842 (Kan. 1980); *see also State v. Crawford*, 177 P. 360, 361 (Kan. 1919); *Poe v. Menghini*, 339 F. Supp. 986, 994 (D. Kan. 1972).

220. The team’s minority status on the board does not cure the constitutional defect: Section 3(b)(9) gives a private beneficiary a direct vote in the exercise of governmental power, while Section 3(j) makes the executive director’s compensation depend entirely on rents paid by the professional sports team. That financial tie links executive leadership to the private counterparty whose interests the Authority regulates and serves.

221. Section 6(b) gives the professional sports team scheduling priority, and Section 7(e) exempts the Authority from the Kansas administrative procedure act, K.S.A. 77-501 through 77-550, along with the other exemptions listed in Section 7. Section 3(b)(9), considered with these provisions, improperly places public power within a private franchise’s sphere of control.

222. The Unified Government is injured because decisions affecting public money, tax policy, land, utilities, scheduling, and development within its borders may be made in part by a private entity that is neither politically accountable nor disinterested.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Unified Government of Wyandotte County and Kansas City, Kansas respectfully requests that the Court enter judgment in its favor and:

1. Declare that New Sections 3(d)(1)(A), 3(d)(1)(B), 3(d)(1)(C), 3(d)(2), 5(b)(1)(B), 5(b)(1)(C), 5(c)(3), 5(c)(4), 5(d)(1), 5(d)(2), and 8(a) of HB 2466 are not applicable uniformly to all cities under Article 12, § 5 of the Kansas Constitution; alternatively, if specific facts establish that the challenged provisions cannot operate independently notwithstanding Section 8(b), declare those provisions non-severable and the Act void in its entirety.
2. Declare that Unified Government Charter Ordinance No. CO-01-26 and Charter Resolution No. CR-02-26 is valid under Article 12, § 5(c) and that Sections 3(d)(1)(A), 3(d)(1)(B), 3(d)(1)(C), 3(d)(2), 5(b)(1)(B), 5(b)(1)(C), 5(c)(3), 5(c)(4), 5(d)(1), 5(d)(2), AND 8(a) are inapplicable to the Unified Government.
3. Declare that Section 5(b)(1)(B) and (C) violate Article 11, § 1(b) of the Kansas Constitution as applied; that Sections 3(d), 4(c), 5(c)(3), 5(d)(2), and 8(a), violate Article 2, § 17 of the Kansas Constitution; and that Sections 3(b)(9), 3(n), 5(j), 6(b), 7(e), and 8(a) violate Article 2, § 1 of the Kansas Constitution.
4. Declare that the Unified Government retains its home-rule powers secured by Article 12, § 5 of the Kansas Constitution, including taxing authority, regulatory jurisdiction, utility-service territory rights, and fee-setting prerogatives.

5. Declare that the Unified Government's right to appoint a member of the Authority under Section 3(d)(1) is not conditioned upon, and may not be terminated because of, the terms or conditions of its local revenue pledge or its exercise of home-rule authority over that pledge, and declare that any action taken by the Authority without such appointment of the Unified Government's member is invalid.
6. Declare that the Unified Government, through the BPU, retains its authority to impose utility charges, franchise fees, PILOT obligations, or related exactions on services supplied to property within the Unified Government.
7. Declare that the BPU retains its exclusive right to provide electric service within the corporate limits of Kansas City, Kansas, and its service territory under Kansas law, including to any sports facility or sports authority operating there; that no other supplier may wheel, deliver, or furnish retail electric service to any electric consuming facility within that territory, or construct distribution facilities to do so, by virtue of Section 5(d)(2); and that the Unified Government and the BPU retain authority over water service and related water, sanitary sewer, storm sewer, and distribution-system charges;
8. Issue temporary, preliminary, and permanent injunctive relief to limit enforcement of the identified provisions against the Unified Government and the BPU.
9. Award the Unified Government its costs and attorneys' fees as permitted by law; and grant such other and further relief as the Court deems just and proper.

Dated: October 9, 2026

Respectfully submitted,

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*ATTORNEYS FOR PLAINTIFF
UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY AND KANSAS
CITY, KANSAS*

EXHIBIT 1

HOUSE BILL No. 2466

AN ACT concerning economic development; enacting the Kansas sports authority act to establish a sports authority to provide for the construction, financing and management of certain sports facilities and sports facility infrastructure and create venues for professional sports and other events; requiring members of the authority to submit to a state and national criminal history record check; authorizing STAR bond projects in major amusement park areas; permitting additional STAR bond districts where a major professional sports complex STAR bond district previously existed; clarifying geographic areas from which STAR bond revenues may be pledged; clarifying the length of time that revenues may be captured within a STAR bond project area; permitting cities or counties to pledge community improvement district or transportation development district revenues for the payment of STAR bonds; clearly establishing the authority of the secretary to set or modify STAR bond project district and STAR bond project areas without effect on local revenue pledges with respect to a major professional sports complex STAR bond district; permitting cities and counties, upon the request of the secretary, to modify their pledge area for a major professional sports complex STAR bond district; extending the expiration date of the STAR bonds financing act by prohibiting new STAR bond district approvals after July 1, 2031; clarifying the definition of a STAR bond project area; permitting the secretary to approve applications for STAR bond project financing more than one year after a STAR bond district has been established; condensing city, county and department of commerce notice, posting and reporting requirements; requiring a reset of the base year revenue for purposes of financing new STAR bonds in certain circumstances; clarifying that revenues from the attracting professional sports to Kansas fund may be used to pay management, operations and other costs of a professional sports team's primary facility; authorizing STAR bond projects in certain counties located in certain metropolitan statistical areas as rural redevelopment projects; setting certain visitor origin requirements and requiring certain enforcement by the secretary against developers that fail to meet such requirements; requiring the secretary to make certain information concerning STAR bond projects publicly available on the website of the department of commerce; prohibiting state general fund moneys from being pledged for the repayment of any special obligation bond issued by a city or county to finance a STAR bond project; prohibiting a city or county from using eminent domain to acquire real property for a STAR bond project; requiring the secretary to add to the secretary's annual report information regarding business movement into and out of STAR bond districts and local sales tax revenues lost as the result of such movement; amending K.S.A. 12-17,160, 12-17,166, 12-17,172 and 12-17,179 and K.S.A. 2025 Supp. 12-17,162, 12-17,164, 12-17,169, 22-4714 and 74-8793 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) Sections 1 through 8, and amendment thereto, shall be known and may be cited as the Kansas sports facilities authority act.

(b) The purpose of the act is to provide for the construction, financing, management and long-term use of sports facilities and sports facility infrastructure as venues for professional sports and a broad range of other civic, community, athletic, educational, cultural and commercial activities. The legislature finds that the expenditure of public money for this purpose is necessary, serves a public purpose and promotes the general welfare, and that property acquired by the Kansas sports facilities authority for the construction of sports facilities and sports facilities infrastructure is acquired for a public use and serves a public purpose. The legislature further finds that any provision in a lease or use agreement with a professional sports team that requires such team to play substantially all of its home games in a publicly funded sports facility for the duration of the lease or use agreement serves a unique public purpose for which enforcement is essential through the remedies of specific performance and injunctive relief.

New Sec. 2. As used in this act:

- (a) "Act" means the Kansas sports facilities authority act.
- (b) "Appointee" means a person who has been appointed to the authority pursuant to this act.
- (c) "Appointing authority" means the person or entity required to make an appointment to the authority pursuant to this act.
- (d) "Authority" means the Kansas sports facilities authority established under section 3, and amendments thereto.
- (e) "Professional sports" means the national football league.
- (f) "Professional sports team" means an organization that is a franchised member of the national football league engaged in the business of professional American football.
- (g) "Sports facility" means, as designed, constructed, financed or

managed pursuant to this act, a stadium, arena, field or other similar structure, including a practice facility for a professional sports team or a professional sports team headquarters building, and any enclosed or open-air entertainment or event venue, including, but not limited to, a recreational venue such as a ballpark, that is physically connected to or integrated with such facility and intended to support, complement or enhance the use, operation or fan experience of the sports facility.

(h) "Sports facility infrastructure" means plazas, walkways, landscaping, lighting, fencing, security infrastructure, parking facilities and structures, roadway and access improvements, including, but not limited to, streets, sidewalks, rights-of-way, intersections, medians, ramps, connectors, skyways and tunnels and other improvements intended to support pedestrian or vehicular circulation, utilities, including, but not limited to, water, sanitary sewer, storm sewer, electrical, gas, telecommunications, fiber and related distribution systems and other such property, facilities and improvements, owned by the authority or determined by the authority to facilitate the use and development of a sports facility pursuant to this act.

New Sec. 3. (a) (1) The Kansas sports facilities authority is established as a body corporate and politic and a political subdivision of the state. The authority is not an agency or instrumentality of any city or county. Any obligation, liability or debt of the authority shall constitute an obligation, liability or debt only of the authority and shall not constitute a liability or obligation of the state of Kansas or a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas.

(2) Before the appointment of any person as a member of the authority, the appointing authority shall require such person to be fingerprinted and submit to a state and national criminal history record check in accordance with K.S.A. 2025 Supp. 22-4714, and amendments thereto.

(3) The Kansas bureau of investigation shall remain in custody and control of the criminal history record check information obtained pursuant to this section. The bureau shall allow only the appointing authority, the majority and minority leaders of the house of representatives and the majority and minority leaders of the senate to view such criminal history record check information.

(b) The authority shall consist of 11 voting members, including, as provided by subsection (d), two members who may be appointed by the mayors of cities where a sports facility is located and nine members who are legal residents of the state of Kansas and have relative education, training and experience related to facility administration, accounting, law, marketing or other pertinent fields, as follows:

(1) One member appointed by the governor. Each such member shall serve until a successor is appointed and takes office;

(2) one member appointed by the president of the senate. Each such member shall serve until a successor is appointed and takes office;

(3) one member appointed by the senate majority leader. Each such member shall serve until a successor is appointed and takes office;

(4) one member appointed by the senate minority leader. Each such member shall serve until a successor is appointed and takes office;

(5) one member appointed by the speaker of the house of representatives. Each such member shall serve until a successor is appointed and takes office;

(6) one member appointed by the house of representatives majority leader. Each such member shall serve until a successor is appointed and takes office;

(7) one member appointed by the house of representatives minority leader. Each such member shall serve until a successor is appointed and takes office;

(8) the secretary of commerce or acting secretary of commerce who shall serve at the pleasure of the governor; and

(9) a representative of the professional sports team that plays its games in the sports facility owned by the authority appointed by the

professional sports team. Each such member appointed by the professional sports team shall serve until a successor is appointed and takes office.

(c) The initial members of the authority shall be appointed not later than August 31, 2026.

(d) (1) The mayors of up to two cities where a sports facility of the authority is located may each appoint a member, that may be themselves, to the authority if:

(A) Such city passes an ordinance electing to participate in a STAR bond project as defined in K.S.A. 12-17,162(aa)(2), and amendments thereto;

(B) such participation is not withdrawn, repealed, terminated or rendered ineffective; and

(C) such city's pledge of applicable local sales, use or transient guest tax revenue is not conditioned in a manner that:

(i) Limits or restricts the secretary's authority to establish or modify a STAR bond project district as defined in K.S.A. 12-17,162(cc)(2), and amendments thereto, for purposes of pledging state revenues;

(ii) provides for termination or reduction of such local pledge based on actions taken by the secretary with respect to the establishment, modification or scope of a STAR bond project district as defined in K.S.A. 12-17,162(cc)(2), and amendments thereto, or the pledge of state revenues; or

(iii) conflicts with the terms and conditions set forth in the STAR bond agreement dated December 22, 2025, and executed by the Kansas city chiefs football club, inc. and the state of Kansas.

(2) Such membership shall be expressly conditioned upon the continued satisfaction of the requirements set forth in subparagraphs (1)(A), (B) and (C) above.

(3) In the event of the self appointment by a mayor to the authority, the governing body of such mayor's city shall select a member of such governing body as the appointing authority for purposes of review of the criminal history record check as required by subsection (a)(2).

(e) Members of the authority may be compensated as provided by K.S.A. 75-3223, and amendments thereto, including a paid per diem and mileage reimbursement.

(f) The chairperson of the authority shall be elected by a majority of the voting members of the authority for a four-year term. The chairperson shall preside at all meetings of the authority, if present, and perform all other assigned duties and functions. The authority may appoint from among its voting members a vice chairperson to act for the chairperson during the temporary absence or disability of the chairperson and any other officers the authority determines are necessary or convenient.

(g) Each member of the authority shall serve at the pleasure of the entity or holder of the office authorized to appoint such member, including any new holder of such office.

(h) The authority shall adopt bylaws to establish rules of procedure, the powers and duties of its officers and other matters relating to the governance of the authority and the exercise of its powers.

(i) The authority shall engage a third-party independent auditor to audit the books and accounts of the authority annually. The authority shall engage a different independent auditor every three years to conduct such audit.

(j) The authority may appoint an executive director to serve as the chief executive officer of the authority. Such executive director shall serve at the pleasure of the authority and shall receive compensation as determined by the authority and approved by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed by K.S.A. 75-3711c(c), and amendments thereto. Such compensation for

the executive director shall be paid from rents paid to the authority by the professional sports team that plays its games in the sports facility owned by the authority. No public funds shall be used for compensation for the executive director. As prescribed and directed by the authority, the executive director shall be responsible for the operation, management and promotion of activities of the authority. The executive director shall have such powers necessarily incident to the performance of the executive director's duties and such powers granted by the authority, except that the executive director shall not have authority to incur liability or make expenditures on behalf of the authority without general or specific direction by the authority evidenced by the authority's bylaws or minutes of a meeting of the authority.

(k) The authority may authorize additional employees. The executive director shall be responsible for hiring, supervision and dismissal of all other employees of the authority.

(l) The authority shall establish a website for purposes of providing information to the public concerning all actions taken by the authority. At a minimum, the website shall contain a current version of the authority's bylaws, notices of upcoming meetings, minutes of the authority's meetings and a telephone number and email address for public comments.

(m) Any seven voting members shall constitute a quorum for the conduct of business. Action may be taken upon the vote of a majority of members present at a meeting duly called and held.

(n) The authority shall be subject to the provisions of the open meetings act and the open records act. In the event that immediate action is required for which a meeting cannot be timely convened, then notwithstanding the provisions of the Kansas open meetings act, K.S.A. 75-4317, et seq., and amendments thereto, the authority may act by written consent, signed by all voting members, whose consent shall have the same effect as a unanimous action taken at a meeting of the authority duly called and held with a quorum present. The unanimous written consent and any attachments thereto shall be subject to the Kansas open records act, K.S.A. 45-215, et seq., and amendments thereto, and shall be posted on the authority's website as soon as practicable after such action is taken.

New Sec. 4. (a) Any sports facility or sports facility infrastructure constructed or acquired by the authority shall be a part of the authority.

(b) Except as provided in subsection (c), any other sports facility may be acquired as a part of the authority upon satisfaction of the following factors and approval of the authority:

(1) The governing body, whether a public or private entity, of the sports facility has made a request to the authority to become a sports facility that is a part of the authority;

(2) such governing body and the authority have negotiated an agreement with respect to the transfer by the governing body to the authority of all obligations and responsibilities pertaining to such sports facility, including, but not limited to, outstanding debt, revenue sources, finance, funding, management, operations, equipment, repair and replacements, capital improvements, reserves, contracts and agreements;

(3) if separate entities, such governing body and the professional sports team that is the primary user of such sports facility have made a joint recommendation to the authority that such sports facility become a part of the authority;

(4) the authority finds that the inclusion of such sports facility in the authority will not have a negative impact on the authority or the state general fund or become an obligation of the state of Kansas; and

(5) such governing body shall have provided any other information and met any additional requirements requested by the authority.

(c) Nothing in this act shall authorize the authority to enter into any contract, agreement or business relationship with any other professional sport or franchise other than a professional sports team

that is a franchised member of the national football league engaged in the business of professional American football. Any such action taken by the authority in violation of the provisions of this act is null and void.

New Sec. 5. (a) The authority is a body corporate and politic and a political subdivision of the state of Kansas. The authority may exercise and hold the duties, privileges, immunities, rights and liabilities and disabilities of an authority of the state and as a body corporate and a political instrumentality of the state. The authority may sue and be sued. Any obligation, liability or debt of the authority shall constitute an obligation, liability or debt only of the authority and shall not constitute an obligation or liability of the state of Kansas or a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas.

(b) (1) (A) The authority may acquire from any public or private entity by lease, purchase, gift or devise all necessary right, title and interest in and to real property, air rights and personal property deemed necessary for the purposes of this act.

(B) Any such property referenced under this act that is owned, acquired or otherwise used by the authority shall be deemed exclusively used for state purposes within the meaning of article 11 § 1(b) of the constitution of the state of Kansas.

(C) The authority shall be exempt from any property or general ad valorem taxes levied under the laws of the state of Kansas upon any property of the authority acquired and used for a sports facility or sports facility infrastructure and upon any other property of the authority used for the authority's public purposes and from any taxes or assessments upon any projects or operations of the authority. The authority shall be exempt from any taxes or assessments upon any project, property or local obligation acquired or used by the authority under the provisions of this act.

(2) The authority may sell, lease or otherwise dispose of any real or personal property acquired by the authority that is no longer required for the accomplishment of the authority's purposes.

(c) (1) The authority may develop, construct, equip, improve, own, operate, manage, maintain, finance and control sports facilities, related sports facility infrastructure and related facilities constructed or acquired pursuant to this act, or may delegate such duties through an agreement, subject to the rights and obligations transferred to and assumed by the authority, a professional sports team, other user, third-party manager or program manager, under the terms of a lease, use agreement or development agreement.

(2) When purchasing construction, repairs, supplies, equipment, furniture, furnishings, fixtures or contractual services, the authority and the authority's contractors and agents shall utilize competition among contractors and vendors to the extent reasonable and practicable under the circumstances, to be determined in the sole discretion of the authority and to such extent shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, 75-37,102 or 75-37,132, and amendments thereto.

(3) All sales of tangible personal property or services purchased for the purpose of and in conjunction with the constructing, equipping or furnishing of a sports facility or sports facility infrastructure by the authority shall be exempt from the tax imposed by the Kansas retailers' sales tax act and the Kansas compensating tax act and not be subject to sales or use tax imposed by the state, any county, city, town, public corporation or agency or subdivision or instrumentality thereof. When a person contracts for the construction, equipping or furnishing of any such sports facility or sports facility infrastructure, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall

execute invoices covering such purchases bearing the number of such certificates. Upon completion of the project, the contractor shall furnish to the authority a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this paragraph. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof who uses or otherwise disposes of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Upon repayment in full of all bonds issued to finance any sports facility and any sports facility infrastructure pursuant to the STAR bond agreement dated December 22, 2025, between the state of Kansas and the Kansas city chiefs football club, inc., in an aggregate principal amount equal to the maximum amount authorized to finance such sports facility and sports facility infrastructure under such agreement, the sales and use tax exemptions authorized under this subsection shall automatically terminate.

(4) The authority may, but shall not be required to, consult with local governments regarding the planning and development of authority projects, except that no such consultation shall confer approval authority or regulatory jurisdiction on any city, county, township or other political subdivision of the state. The provisions of K.S.A. 75-3741c(a), and amendments thereto, related to state capital improvement projects shall apply to projects of the authority.

(d) (1) The authority may employ persons, contract for services, including legal services, and utilize employees and consultants retained by other governmental entities as necessary to carry out the authority's functions. The authority may enter into agreements with other governmental entities or third parties necessary to accomplish the purposes of this act.

(2) The provisions of the retail electric suppliers act, K.S.A. 66-1,170, et seq., and amendments thereto, shall not apply to the provision of electric service to the authority. The authority shall have the power to negotiate or otherwise obtain utility and energy services, but the authority shall be required to obtain electric service from a retail electric provider, as defined in the retail electric suppliers act, that already provides electric service in one or more certified territories in Kansas. The provision or receipt of such utility and energy services shall not be subject to any fee or exactions imposed by local ordinance.

(e) The authority may accept monetary contributions, pledges of revenues, property, services and grants or loans of money or other property from any source, including, but not limited to, the state, any subdivision of the state, any agency of those entities or any person for any of its purposes, and may enter into any agreement required in connection with the gifts, grants or loans. The authority shall hold, use and dispose of the money, property or services according to the terms of the monetary contributions, grant, loan or agreement.

(f) The authority may lease, license or enter into use agreements and may fix, alter, charge and collect rents, fees, including seat licensing fees, and charges for the use, lease, license, occupation and availability of part or all of any premises, property or facilities under the authority's ownership, operation or control for purposes that will provide athletic, educational, cultural, commercial or other entertainment, instruction or activity for the citizens of Kansas and visitors. The use agreements may provide that the other contracting party has exclusive use of the premises at the times agreed upon, as well as the right to retain some or all revenues from ticket sales, suite licenses, personalized seat licenses, concessions, advertising, naming rights, professional sports team designated broadcast or media, club seats, signage and other revenues derived from a sports facility. The

authority may contract with a professional sports team or other third party to collect any such revenue on behalf of the authority.

(g) Any agreement by the authority for the lease, license, use or management of a sports facility or sports facility infrastructure shall require the lessee, licensee, user or manager to be responsible for all liabilities and obligations arising out of the use, occupancy, operation, management or control of the sports facility or sports facility infrastructure, except as expressly provided otherwise in such agreement. No such agreement shall create an obligation of the state of Kansas, liability against the state of Kansas or a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas.

(h) The authority may procure insurance in the amounts the authority considers necessary against liability of the authority or its officers and employees for personal injury or death and property damage or destruction and against risks of damage to or destruction of any of its facilities, equipment or other property. Any agreement by the authority for the lease, license, use or management of a sports facility or sports facility infrastructure shall require the lessee, licensee, user or manager to be responsible for providing, at their sole cost and expense, insurance coverage in the types and amounts consistent with professional sports industry standards. The authority shall be named as an additional insured on any such insurance coverage.

(i) The authority is hereby authorized to fix, charge and collect fees or rents in order to recover all or part of the operating expenses incurred in carrying out its functions.

(j) In addition to the powers expressly granted in this act and provided that the exercise of such powers does not conflict with any agreement between the authority and the professional sports team, the authority shall have all powers necessary or incidental thereto, including, but not limited to, the following:

(1) To make grants of money to other public or private persons and any organization that is described in section 501(c)(3) of the federal internal revenue code of 1986, as amended, or any corresponding provision of any future revenue law;

(2) notwithstanding any other provision of law relating to the investment of state moneys or interest thereon, to receive, hold, use, deposit, withdraw, invest, expend and manage all funds and moneys of the authority, including interest thereon, from any source;

(3) to deposit any moneys of the authority in any banking institution within or without the state or in any depository authorized to receive such deposits, with one or more persons to act as custodians of the moneys in each respective depository, and to give surety bonds in such amounts in the form and for such purposes as the authority requires; and

(4) to enter into such contracts, agreements, joint ventures, partnerships, options, leases, loan agreements, deeds and other instruments with public and private entities and take such other actions as may be necessary or convenient to accomplish any purpose for which the authority is organized or exercise any power expressly granted hereunder.

(k) Notwithstanding any other provision of law to the contrary, the authority and its members, directors, employees and agents shall be subject to and covered by the Kansas tort claims act, K.S.A. 75-6101 et seq., and amendments thereto. The purchase of insurance, participation in an insurance plan or creation of a self-insurance fund by the authority shall not be deemed to be a waiver or relinquishment of any sovereign immunity to which the authority or its directors, employees or agents are otherwise entitled.

(l) (1) Commencing on January 15, 2027, and on or before January 15 of each year thereafter, the authority shall provide a written report to the legislative coordinating council, the senate committee on commerce and the house of representatives committee on commerce, labor and economic development. Such report shall include, at the level

of detail as requested by the respective committee or chairperson thereof:

(A) (i) The current status of the sports facility and sports facility infrastructure;

(ii) actions and operations of the authority during the previous year with respect to the acquisition, construction and development of the sports facility or sports facility infrastructure; and

(iii) the projected construction and development of the sports facility and sports facility infrastructure and planned operations and actions of the authority in the current year ahead;

(B) any other actions of the authority undertaken pursuant to the provisions of this act; and

(C) any other information pertaining to the status, actions, activities and operations of the authority requested by the respective committee or chairperson thereof.

(2) At the request of any such committee, the chairperson and executive director of the authority shall appear before such committee and provide testimony regarding the report.

(m) Any lease or use agreement between the authority and a professional sports team shall provide for the disposition of the sports facility upon expiration or nonrenewal of the agreement and relocation of the team outside the state in a manner that ensures the authority shall have no ongoing financial obligation, liability or maintenance responsibility. Such provisions may include, but not be limited to:

(1) Conveyance of the sports facility and related improvements to the professional sports team, with the team assuming all costs, liabilities and obligations associated therewith; or

(2) payment by the professional sports team of the reasonable costs of demolition of the primary stadium structure.

New Sec. 6. (a) Sports facilities under this act shall be operated in a first-class manner, similar to and consistent with other comparable sports facilities of the same kind.

(b) The authority and the professional sports team shall agree to minimum annual sports facility utilization requirements by the state and its designees in order to host noncompeting community events, subject to sports facility availability for which the professional sports team shall have scheduling priority.

New Sec. 7. The authority shall be exempt from the following laws, unless otherwise provided for in this act:

- (a) K.S.A. 12-1675 through 12-1677, and amendments thereto;
 - (b) K.S.A. 75-1250 through 75-1270, and amendments thereto;
 - (c) K.S.A. 75-2925 through 75-2975, and amendments thereto;
 - (d) K.S.A. 75-6601 through 75-6607, and amendments thereto;
 - (e) K.S.A. 77-501 through 77-550, and amendments thereto;
 - (f) K.S.A. 75-3739 through 75-3740, and amendments thereto;
- and

(g) K.S.A. 75-37,102 and 75-37,132, and amendments thereto.

New Sec. 8. (a) This act shall be liberally construed. Nothing contained herein is or shall be construed as a restriction or limitation upon any powers that the authority might otherwise have under any other law of this state, and the provisions of this act are cumulative to such powers. The provisions hereof shall be construed to provide a complete, additional and alternative method for the doing of the things authorized hereby and shall be regarded as supplemental and additional to any other laws. It is the intent of the legislature to grant the authority all powers necessary and convenient to develop, construct, acquire and operate sports facilities and sports facility infrastructure in furtherance of the public purpose of providing state-owned and operated venues for the economic, cultural and recreational benefit of the citizens of the state. In carrying out such purposes, the authority shall be deemed to be a political subdivision of the state performing essential governmental functions. Insofar as the provisions of this act are inconsistent with the provisions of any other law, whether general, specific or local, the provisions of this act shall be controlling. Notwithstanding anything in

this act to the contrary, the powers granted to the authority shall not be exercised in a way that conflicts with the terms and conditions set forth in the STAR bond agreement dated December 22, 2025, and executed by the Kansas City chiefs football club, inc. and the state of Kansas. Notwithstanding anything in this act to the contrary, nothing in this subsection or this act shall be construed so as to authorize, permit or provide any obligation, liability or debt of the authority to be an obligation, liability or a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas.

(b) The provisions of this act are severable. If any portion of the act is declared unconstitutional or invalid, or the application of any portion of the act to any person or circumstance is held unconstitutional or invalid, the invalidity shall not affect other portions of the act that can be given effect without the invalid portion or application, and the applicability of such other portions of the act to any person or circumstance shall remain valid and enforceable.

Sec. 9. K.S.A. 12-17,160 is hereby amended to read as follows: 12-17,160. It is hereby declared to be the purpose of this act to promote, stimulate and develop the general and economic welfare of the state of Kansas and its communities and to assist in the development and redevelopment of eligible areas within and without a city thereby promoting the general welfare of the citizens of this state; *through tourism* by authorizing cities and counties to acquire certain property and to issue sales tax and revenue (STAR) bonds for the financing of STAR bond projects as defined in K.S.A. 12-17,162, and amendments thereto. It is further found and declared that the powers conferred by this act are for a public purpose and public use for which public money may be expended ~~and the power of eminent domain may be exercised~~. The necessity in the public interest for the provisions of this act is hereby declared as a matter of legislative determination.

Sec. 10. K.S.A. 2025 Supp. 12-17,162 is hereby amended to read as follows: 12-17,162. As used in the STAR bonds financing act, unless a different meaning clearly appears from the context:

(a) "Auto race track facility" means: (1) An auto race track facility and facilities directly related and necessary to the operation of an auto race track facility, including, but not limited to, grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor and retail centers, signage and temporary hospitality facilities, but excluding (2) hotels, motels, restaurants and retail facilities, not directly related to or necessary to the operation of such facility.

(b) "Commence work" means the manifest commencement of actual operations on the development site, such as, erecting a building, excavating the ground to lay a foundation or a basement or work of like description according to an approved plan of construction, with the intention and purpose to continue work until the project is completed.

(c) "De minimis" means an amount less than 15% of the land area within a STAR bond project district.

(d) "Developer" means any person, firm, corporation, partnership or limited liability company other than a city and other than an agency, political subdivision or instrumentality of the state. "Developer" includes the names of the owners, partners, officers or principals of the developer for purposes of inclusion of the name of the developer into any application, document or report pursuant to this act if such application, document or report is a public record.

(e) "Economic impact study" means a study to project the financial benefit of the project to the local, regional and state economies.

(f) "Eligible area" means a historic theater, *major amusement park area*, major tourism area, major motorsports complex, auto race track facility, river walk canal facility, major multi-sport athletic complex, major business facility, a major commercial entertainment and tourism area or a major professional sports complex as determined by the secretary.

(g) "Feasibility study" means a feasibility study as defined in

K.S.A. 12-17,166(b), and amendments thereto.

(h) "Historic theater" means a building constructed prior to 1940 that was constructed for the purpose of staging entertainment, including motion pictures, vaudeville shows or operas, that is operated by a nonprofit corporation and is designated by the state historic preservation officer as eligible to be on the Kansas register of historic places or is a member of the Kansas historic theatre association.

(i) "Historic theater sales tax increment" means the amount of state and local sales tax revenue imposed pursuant to K.S.A. 12-187 et seq., 79-3601 et seq. and 79-3701 et seq., and amendments thereto, collected from taxpayers doing business within the historic theater that is in excess of the amount of such taxes collected prior to the designation of the building as a historic theater for purposes of this act.

(j) "Major business facility" means a significant business headquarters or office building development designed to draw a substantial number of new visitors to Kansas and that has agreed to provide visitor tracking data to the secretary as requested by the secretary, including, but not limited to, residence zip code information, to be provided or held by the secretary without personally identifiable information. A major business facility shall meet sales tax increment revenue requirements that shall be established by the secretary independent of any associated retail businesses located in the STAR bond project district pursuant to the STAR bond project plan.

(k) "Major commercial entertainment and tourism area" means an area that may include, but not be limited to, a major multi-sport athletic complex.

(l) "Major motorsports complex" means a complex in Shawnee county that is utilized for the hosting of competitions involving motor vehicles, including, but not limited to, automobiles, motorcycles or other self-propelled vehicles other than a motorized bicycle or motorized wheelchair. Such project may include racetracks, all facilities directly related and necessary to the operation of a motorsports complex, including, but not limited to, parking lots, grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor and retail centers, signage and temporary hospitality facilities, but excluding hotels, motels, restaurants and retail facilities not directly related to or necessary to the operation of such facility.

(m) "Major tourism area" means an area for which the secretary has made a finding the capital improvements costing not less than \$100,000,000 will be built in the state to construct an auto race track facility.

(n) "Major multi-sport athletic complex" means an athletic complex that is utilized for the training of athletes, the practice of athletic teams, the playing of athletic games or the hosting of events. Such project may include playing fields, parking lots and other developments including grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor centers, signage and temporary hospitality facilities, but excluding hotels, motels, restaurants and retail facilities, not directly related to or necessary to the operation of such facility.

(o) "Major professional sports complex" means a project, approved or pursuant to an authorized agreement as provided by K.S.A. 2025 Supp. 12-17,181, and amendments thereto, located within this state including a stadium of not less than 30,000 seats for the purpose of the holding of national football league or major league baseball athletic contests and other events and gatherings or a practice or training facility utilized by a major professional sports franchise and all buildings, improvements, facilities or attractions located within any STAR bond project district as defined in subsection (cc)(2).

(p) "Major professional sports franchise" means any corporation, partnership or other entity that owns a team or franchise that is a member of the national football league or major league baseball that is located in any state adjacent to Kansas.

(q) "Market study" means a study to determine the ability of the project to gain market share locally, regionally and nationally and the ability of the project to gain sufficient market share to:

- (1) Remain profitable past the term of repayment; and
- (2) maintain status as a significant factor for travel decisions.

(r) "Market impact study" means a study to measure the impact of the proposed project on similar businesses in the project's market area.

(s) "Museum facility" means a separate newly-constructed museum building and facilities directly related and necessary to the operation thereof, including gift shops and restaurant facilities, but excluding hotels, motels, restaurants and retail facilities not directly related to or necessary to the operation of such facility. The museum facility shall be owned by the state, a city, county, other political subdivision of the state or a non-profit corporation, shall be managed by the state, a city, county, other political subdivision of the state or a non-profit corporation and may not be leased to any developer and shall not be located within any retail or commercial building.

(t) "Project" means a STAR bond project.

(u) "Project costs" means those costs necessary to implement a STAR bond project plan, including costs incurred for:

(1) Acquisition of real property within the STAR bond project area;

(2) payment of relocation assistance pursuant to a relocation assistance plan as provided in K.S.A. 12-17,173, and amendments thereto;

(3) site preparation including utility relocations;

(4) sanitary and storm sewers and lift stations;

(5) drainage conduits, channels, levees and river walk canal facilities;

(6) street grading, paving, graveling, macadamizing, curbing, guttering and surfacing;

(7) street light fixtures, connection and facilities;

(8) underground gas, water, heating and electrical services and connections located within the public right-of-way;

(9) sidewalks and pedestrian underpasses or overpasses;

(10) drives and driveway approaches located within the public right-of-way;

(11) water mains and extensions;

(12) plazas and arcades;

(13) parking facilities and multilevel parking structures devoted to parking only;

(14) landscaping and plantings, fountains, shelters, benches, sculptures, lighting, decorations and similar amenities;

(15) auto race track facility;

(16) major multi-sport athletic complex;

(17) museum facility;

(18) major motorsports complex;

(19) rural redevelopment project, including costs incurred in connection with the construction or renovation of buildings or other structures;

(20) major professional sports complex, including all costs necessary to implement a STAR bond project plan for the development of a major professional sports complex, including, but not limited to, costs incurred for construction or renovation of a stadium and other buildings, improvements, structures, facilities, infrastructure improvements and utilities or any related expenses to develop and finance such complex;

(21) related expenses to redevelop and finance the project, except that for a STAR bond project financed with special obligation bonds payable from the revenues described in K.S.A. 12-17,169(a)(1) or (a)(2)(A) and (a)(2)(B), and amendments thereto, such expenses shall require prior approval by the secretary of commerce; and

(22) except as specified in paragraphs (1) through (21) above, "project costs" does not include:

(A) Costs incurred in connection with the construction of buildings or other structures;

(B) fees and commissions paid to developers, real estate agents, financial advisors or any other consultants who represent the developers or any other businesses considering locating in or located in a STAR bond project district;

(C) salaries for local government employees;

(D) moving expenses for employees of the businesses locating within the STAR bond project district;

(E) property taxes for businesses that locate in the STAR bond project district;

(F) lobbying costs;

(G) any bond origination fee charged by the city or county;

(H) any personal property as defined in K.S.A. 79-102, and amendments thereto; and

(I) travel, entertainment and hospitality.

(v) "Projected market area" means any area within the state in which the project is projected to have a substantial fiscal or market impact upon businesses in such area.

(w) "River walk canal facilities" means a canal and related water features which flow through a major commercial entertainment and tourism area and facilities related or contiguous thereto, including, but not limited to, pedestrian walkways and promenades, landscaping and parking facilities.

(x) "Rural redevelopment project" means a project that *will enhance the quality of life in the community and the region* and is in:

(1) An area outside of a metropolitan area with a population of more than 50,000, that is of regional importance; *and* with capital investment of at least \$3,000,000 ~~and that will enhance the quality of life in the community and region;~~ or

(2) a county with a population under 100,000 within the Kansas City or Wichita metropolitan statistical areas, of regional importance and with capital investment of at least \$3,000,000.

(y) "Sales tax and revenue" ~~are those~~ means revenues that are available to finance the issuance of special obligation bonds as identified in K.S.A. 12-17,168, and amendments thereto.

(z) "STAR bond" means a sales tax and revenue bond.

(aa) "STAR bond project" means:

(1) An approved project to implement a project plan for the development of the established STAR bond project district that:

(A) (i) Has at least a \$75,000,000 capital investment and \$75,000,000 in projected gross annual sales; or

(ii) for metropolitan areas with a population of between 50,000 and 75,000, has at least a \$40,000,000 capital investment and \$40,000,000 in projected gross annual sales, if the project is deemed of high value by the secretary; or

(B) for areas outside of metropolitan areas with a population of more than 50,000, the secretary finds the project:

(i) Is an eligible area as defined in subsection (f); and

(ii) would be of regional or statewide importance;

(C) is a major tourism area as defined in subsection (m);

(D) is a major motorsports complex, as defined in subsection (l);

or

(E) is a rural redevelopment project as defined in subsection (x);

or

(2) a project approved or pursuant to an authorized agreement as provided by K.S.A. 2025 Supp. 12-17,181, and amendments thereto, to implement one or more project plans for the development of a major professional sports complex with a combined capital investment of not less than \$1,000,000,000.

(bb) "STAR bond project area" means the geographic area within the STAR bond project district, in which there may be one or more projects *or which facilitates the development of one or more projects*.

(cc) "STAR bond project district" means:

(1) (A) The specific area declared to be an eligible area as determined by the secretary in which the city or county may develop one or more STAR bond projects. A "STAR bond project district" includes a redevelopment district, as defined in K.S.A. 12-1770a, and amendments thereto, created prior to the effective date of this act for the Wichita Waterwalk project in Wichita, Kansas, provided, the city creating such redevelopment district submits an application for approval for STAR bond financing to the secretary on or before July 31, 2007, and receives a final letter of determination from the secretary approving or disapproving the request for STAR bond financing on or before November 1, 2007.

(B) No STAR bond project district shall include real property which has been part of another STAR bond project district unless ~~such~~:

(i) *Such* STAR bond project and STAR bond project district have been approved by the secretary of commerce pursuant to K.S.A. 12-17,164 and 12-17,165, and amendments thereto, prior to March 1, 2016; or

(ii) *such prior STAR bond project district was established pursuant to paragraph (2) relating to a major professional sports complex.*

(C) A STAR bond project district *as defined pursuant to this paragraph* in a metropolitan area with a population of more than 50,000, shall be a contiguous parcel of real estate and shall be limited to those areas being developed by the STAR bond project and any area of real property reasonably anticipated to directly benefit from the ~~redevelopment~~ STAR bond project; or

(2) the specific area approved or pursuant to an authorized agreement as provided by K.S.A. 2025 Supp. 12-17,181, and amendments thereto, and that is declared to be an eligible area as determined by the secretary in which the city or county, or the secretary independently or with the participation of the city or county, as provided by K.S.A. 12-17,164, and amendments thereto, may develop one or more STAR bond projects as defined in subsection (aa)(2). Such area may include real property that is or has been a part of another STAR bond project district, however, any outstanding STAR bonds issued for such other STAR bond project district shall have priority for repayment. Any STAR bond project district as defined pursuant to this paragraph shall not be required to contain contiguous parcels of real estate or be limited to those areas being developed pursuant to any such STAR bond project.

(dd) "STAR bond project district plan" means the preliminary plan that identifies all of the proposed STAR bond project areas and identifies in a general manner all of the buildings, facilities and improvements in each that are proposed to be constructed or improved in each STAR bond project area.

(ee) "STAR bond project plan" means the plan adopted by a city or county for the development of a STAR bond project or projects in a STAR bond project district. "STAR bond project plan" includes a plan adopted by the secretary independently, the secretary with the participation of a city or county or a city or county as approved by the secretary, as provided by K.S.A. 12-17,164, and amendments thereto, for the development of a STAR bond project or projects as defined in subsection (aa)(2) in a STAR bond project district as defined in subsection (cc)(2) and approved or pursuant to an authorized agreement as provided by K.S.A. 2025 Supp. 12-17,181, and amendments thereto.

(ff) "Secretary" means the secretary of commerce.

(gg) "Substantial change" means, as applicable, a change wherein the proposed plan or plans differ substantially from the intended purpose for which the STAR bond project district plan was approved.

(hh) "Tax increment" means:

(1) Except as provided in paragraph (2), that portion of the revenue derived from state and local sales, use and transient guest tax imposed pursuant to K.S.A. 12-187 et seq., 12-1692 et seq., 79-3601 et seq. and 79-3701 et seq., and amendments thereto, collected from

taxpayers doing business within ~~that portion of a STAR bond project district occupied by a project~~ *one or more STAR bond project areas* that is in excess of the amount of base year revenue. For purposes of this subsection, the base year shall be the 12-month period immediately prior to the month in which the STAR bond project district is established. The department of revenue shall determine base year revenue by reference to the revenue collected during the base year from taxpayers doing business within the specific area in which a STAR bond project district is subsequently established. The base year of a STAR bond project district, following the addition of area to the STAR bond project district, shall be the base year for the original area, and with respect to the additional area, the base year shall be any 12-month period immediately prior to the month in which additional area is added to the STAR bond project district. For purposes of this subsection, revenue collected from taxpayers doing business within a STAR bond project district, or within a specific area in which a STAR bond project district is subsequently established shall not include local sales and use tax revenue that is sourced to jurisdictions other than those in which the project is located. The secretary of revenue and the secretary of commerce shall certify the appropriate amount of base year revenue for taxpayers relocating from within the state into a STAR bond district.

(2) With respect to any STAR bond project district as defined in subsection (cc)(2), "tax increment" may include all revenue described in paragraph (1) collected from retail sales from any business within such STAR bond project district. "Tax increment" shall include all revenue derived from the sale of alcoholic liquor as defined in K.S.A. 79-41a01, and amendments thereto, pursuant to K.S.A. 79-4101 and 79-41a02, and amendments thereto, collected from consumers purchasing alcoholic liquor within such STAR bond project district that is in excess of the amount of base year revenue for such taxes. The "tax increment" for any such STAR bond project district that has been independently established by the secretary as provided by K.S.A. 12-17,164, and amendments thereto, shall not include local sales, use or transient guest tax imposed pursuant to K.S.A. 12-187 et seq. and 12-1692 et seq., and amendments thereto, unless approved by a participating city or county as provided by K.S.A. 12-17,164, and amendments thereto. If a STAR bond project district as defined in subsection (cc)(2) includes real property that is or has been part of another previously approved STAR bond project district, the "tax increment" shall also exclude that portion of state and local sales, use or transient guest tax revenue pledged to repayment of any STAR bonds issued for a previously approved STAR bond project within such other district while such bonds are outstanding. The amount of base year revenue for any revenue derived from the sale of alcoholic liquor and any state sales and use taxes shall be set by the secretary in the secretary's sole discretion upon the establishment of a STAR bond project district as defined in K.S.A. 12-17,162(cc)(2), and amendments thereto. If local sales, use or transient guest tax revenue are also pledged by a city or county, whether such city or county is participating with the secretary, or is itself establishing such STAR bond project district, as provided by K.S.A. 12-17,164, and amendments thereto, the amount of base year revenue for such local tax revenues shall be set by the city or county in the city or county's discretion and approved by the secretary. Base year revenue determinations by the secretary or by the city or county as approved by the secretary shall not be required to be based on the procedure provided in paragraph (1).

(ii) "Taxpayer" means a person, corporation, limited liability company, S corporation, partnership, registered limited liability partnership, foundation, association, nonprofit entity, sole proprietorship, business trust, group or other entity that is subject to the Kansas income tax act, K.S.A. 79-3201 et seq., and amendments thereto.

(jj) *"Major amusement park area" means an area containing a STAR bond project with amusement rides. "Amusement ride" includes:*

(A) Buildings necessary to house and operate such amusement park rides, buildings immediately adjacent and attached to such amusement park rides and a building necessary to house a conference center within the major amusement park area; and

(B) attractions that allow for visitors to enjoy an interactive experience with licensed intellectual property. Such attractions shall be at least 25,000 square feet and have the capacity to draw over 100,000 people per year.

Sec. 11. K.S.A. 2025 Supp. 12-17,164 is hereby amended to read as follows: 12-17,164. (a) (1) (A) (i) The governing body of a city may establish one or more STAR bond projects in any area within such city or wholly outside the boundaries of such city. A STAR bond project wholly outside the boundaries of such city must be approved by the board of county commissioners by the passage of a county resolution.

(ii) The governing body of a county may establish one or more STAR bond projects in any unincorporated area of the county.

(iii) No STAR bond project as defined by K.S.A. 12-17,162(aa) (2), and amendments thereto, shall be established by a city or county unless approved pursuant to K.S.A. 2025 Supp. 12-17,181, and amendments thereto.

(B) The governing body of a city or county may elect to participate in a STAR bond project as defined in K.S.A. 12-17,162(aa) (2), and amendments thereto, established independently by the secretary pursuant to an agreement authorized by K.S.A. 2025 Supp. 12-17,181, and amendments thereto, by pledging local sales, use and transient guest tax revenues for the repayment of STAR bonds issued by the Kansas development finance authority pursuant to this section and K.S.A. 12-17,169, and amendments thereto. If the governing body of the city or county elects to participate, the governing body of the city or county shall hold a public hearing and pass an appropriate ordinance or resolution specifying the city or county's pledge of such local revenues that meet any requirements of the secretary and the Kansas development finance authority. Such ordinance or resolution shall be passed not later than 60 days after the date of approval by the legislative coordinating council of the agreement pursuant to K.S.A. 2025 Supp. 12-17,181, and amendments thereto, or the secretary may proceed without the city or county's participation to establish the STAR bond project district and undertake the STAR bond project plan without further public notice or hearing, as provided by paragraph (2). *The secretary's authority to proceed after such 60-day period without the city or county's participation shall not prohibit such city or county from subsequently participating in the STAR bond project, subject to the approval of the secretary. The ordinance or resolution of a city or county adopted for the purpose of electing to participate in a STAR bond project as provided by this paragraph shall not be subject to amendment, except that upon a written request from the secretary and a finding by the secretary that an amendment to such ordinance or resolution is necessary to carry out the purposes of the STAR bond project plan adopted for such project, the governing body of a city or county may amend such ordinance or resolution. No additional public hearing by the governing body of the city or county shall be required.*

(C) The projects shall be eligible for financing by special obligation bonds payable from revenues described by K.S.A. 12-17,169(a)(1)—~~and~~, (a)(2)(A) and (a)(2)(B), and amendments thereto. Upon approval by the secretary, a STAR bond project as defined in K.S.A. 12-17,162(aa)(2), and amendments thereto, may be financed by the Kansas development finance authority as provided by K.S.A. 12-17,169, and amendments thereto.

(2) In lieu of the procedure required for a city or county to establish a STAR bond project district and a STAR bond project set forth in K.S.A. 12-17,165 and 12-17,166, and amendments thereto, or to finance a project, the secretary may independently establish a STAR bond project district as defined in K.S.A. 12-17,162(cc)(2), and amendments thereto, undertake a STAR bond project as defined in

K.S.A. 12-17,162(aa)(2), and amendments thereto, or finance such a STAR bond project through special obligation bonds issued by the Kansas development finance authority as provided by K.S.A. 12-17,169(a)(2)(B), and amendments thereto, with or without the participation of the city or county. In such case, except as otherwise provided, in addition to all powers granted to the secretary, the secretary shall have the powers of a city or county as provided by the STAR bonds financing act necessary in the secretary's discretion to establish, undertake or finance the project through the Kansas development finance authority. The notice, procedural and hearing requirements of K.S.A. 12-17,165 and 12-17,166, and amendments thereto, shall not be applicable to the secretary. Such authority shall include changes to such district as provided by K.S.A. 12-17,171, and amendments thereto, *and the establishment or modification of STAR bond project areas therein*, except that no public notice or hearings shall be required *and no such changes or modifications to the STAR bond project district or STAR bond project areas shall affect or modify the participation of any city or county, including the pledge of any city or county revenues or the boundaries of the area within which such city or county revenues are pledged as a source of repayment of STAR bonds issued by the Kansas development finance authority unless approved by the city or county as provided by paragraph (1)(B)*. Upon the approval of the secretary, the Kansas development finance authority is authorized to issue special obligation bonds in one or more series to finance such project. No revenue from local sales, use or transient guest taxes imposed pursuant to K.S.A. 12-187 et seq. and 12-1692 et seq., and amendments thereto, shall be pledged as a source of repayment of such special obligation bonds unless approved by the city or county as provided by paragraph (1)(B). Such bonds shall not be a general obligation of the state. Any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority and shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas. Such bonds shall be payable, both as to principal and interest, solely from the revenue sources as provided by K.S.A. 12-17,169(a)(2)(B), and amendments thereto.

(3) The secretary's authority to approve STAR bond projects as defined in K.S.A. 12-17,162(aa)(2), and amendments thereto, including any such project established by a city or county or established independently by the secretary with or without the participation of the city or county shall be subject to K.S.A. 2025 Supp. 12-17,181, and amendments thereto.

(b) (1) Each STAR bond project shall first be approved by the secretary, if the secretary determines that the proposed project or complex sufficiently promotes, stimulates and develops the general and economic welfare of the state as described in K.S.A. 12-17,160, and amendments thereto. Except as provided in paragraph (2), the secretary, upon approving the project, may approve such financing in an amount not to exceed 50% of the total costs including all project costs and any other costs related to the project. The proceeds of such STAR bond financing may only be used to pay for incurred project costs.

(2) For a STAR bond project as defined in K.S.A. 12-17,162(aa)(2), and amendments thereto, the secretary may approve such financing issued by the city or county or by the Kansas development finance authority, as applicable, in an amount not to exceed 70% of the total costs including all project costs and any other costs related to the project.

(c) For a city proposing to finance a major motorsports complex pursuant to K.S.A. 12-17,169(a)(1)(C) or (a)(1)(E), and amendments thereto, the secretary, upon approving the project, may approve such financing in an amount not to exceed 50% of the STAR bond project costs.

(d) The secretary may approve a STAR bond project located in a

STAR bond project district established by a city prior to May 1, 2003.

(e) (1) Except as provided in paragraph (2), a project shall not be granted to any business that proposes to relocate its business from another area of the state into such city or county, for the purpose of consideration for a STAR bond project provided by K.S.A. 12-17,160 et seq., and amendments thereto.

(2) The provisions of paragraph (1) shall not apply to a STAR bond project as defined in K.S.A. 12-17,162(aa)(2), and amendments thereto.

(f) A project shall not be approved by the secretary if the market study required by K.S.A. 12-17,166, and amendments thereto, indicates a substantial negative impact upon businesses in the project or complex market area or the granting of such project or complex would cause a default in the payment of any outstanding special obligation bond payable from revenues authorized pursuant to K.S.A. 12-17,169(a)(1), and amendments thereto.

(g) (1) Except as provided in paragraph (2), the maximum maturity of special obligation bonds payable primarily from revenues described by K.S.A. 12-17,169(a)(1), and amendments thereto, to finance STAR bond projects pursuant to this section shall not exceed 20 years *and the revenues described by K.S.A. 12-17,169(a), and amendments thereto, shall not be collected in any STAR bond project area for a term exceeding 20 years.*

(2) Special obligation bonds issued by a city or county or, if applicable, by the Kansas development finance authority to finance a STAR bond project as defined in K.S.A. 12-17,162(aa)(2), and amendments thereto, shall not exceed 30 years *and the revenues described by K.S.A. 12-17,169(a), and amendments thereto, shall not be collected in any STAR bond project area for a term exceeding 30 years.*

~~(h) The secretary shall not approve any application for STAR bond project financing which is submitted by a city or county more than one year after the STAR bond project district in which the STAR bond project is located has been established.~~

~~(i)~~—For the purpose of recovering the costs of the secretary and the department arising from fulfilling administrative, review, approval, oversight and other responsibilities under the STAR bonds financing act and from providing assistance to cities, counties and private businesses in relation to STAR bond projects, the secretary may assess an administrative fee of up to 1%, not to exceed \$200,000, of the amount of the special obligation bonds payable from revenues described by K.S.A. 12-17,169(a)(1) or (a)(2), and amendments thereto, issued or reissued for STAR bond projects. The secretary may also recover any actual costs incurred by the secretary in excess of the fee. The fee, and any actual costs incurred by the secretary in excess of the fee, shall be paid to the secretary from the proceeds of such bonds. All such moneys received by the secretary shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the STAR bond administrative fee fund, which is hereby created in the state treasury. All expenditures from the STAR bond administrative fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary or a person or persons designated by the secretary.

(i) (1) For STAR bond projects approved on and after July 1, 2026, prior to approving a STAR bond project, the secretary shall establish project-specific visitation goals for visitors from a distance of at least 100 miles and from outside the state, consistent with department of commerce guidelines and taking into account the nature, scale, location and phasing of the project. The secretary shall track visitation as provided by K.S.A. 12-17,166, and amendments thereto, and shall include in the secretary's annual report to the legislature the

method of visitor origin tracking and aggregate visitation data, if available. Visitor tracking data shall be collected in the aggregate without personal identification information.

(2) For such projects for which STAR Bonds have been issued, commencing with the fifth calendar year following the year in which STAR bonds are initially issued, the secretary shall monitor available visitation data in relation to the visitation goals established pursuant to paragraph (1) on an annual basis. If the secretary determines that a STAR bond project is meeting the applicable visitation goal, the secretary may conclude such review. If the secretary determines that a STAR bond project is not meeting the applicable visitation goals, the secretary shall review visitation performance and discuss reasonable strategies with the developer to increase visitation at the developer's cost, which may include marketing efforts, programming adjustments or other appropriate measures. No outstanding, series, or any further or additional STAR bonds shall be issued for such STAR bond project unless the secretary approves such issuance upon a finding that the developer has addressed any visitation performance issues, including any adoption of reasonable strategies to increase visitation at the developer's cost, to the secretary's satisfaction. The secretary shall include a summary of such monitoring and any such review, discussion and actions taken with a developer in the secretary's annual report to the legislature.

Sec. 12. K.S.A. 12-17,166 is hereby amended to read as follows: 12-17,166. (a) One or more projects may be undertaken by a city or county within an established STAR bond project district upon submission of the project plan to the secretary of commerce and approval by the secretary as provided by K.S.A. 12-17,164, and amendments thereto. Any city or county proposing to undertake a STAR bond project shall prepare a STAR bond project plan in consultation with the planning commission of the city, and in consultation with the planning commission of the county, if any, if such project is located wholly outside the boundaries of the city. Any such project plan may be implemented in separate development stages.

(b) Any city or county proposing to undertake a STAR bond project within a STAR bond project district established pursuant to K.S.A. 12-17,165, and amendments thereto, shall prepare a feasibility study to be conducted by one or more consultants selected and approved by the secretary, and the costs shall be paid by the developer or the city or county. The secretary shall have control and oversight authority over the scope, conduct and methodology of the study. The secretary may establish a list of preapproved consultants and approved study parameters and methods. The feasibility study shall contain the following:

(1) Whether a STAR bond project's revenue and tax increment revenue and other available revenues under K.S.A. 12-17,169, and amendments thereto, are expected to exceed or be sufficient to pay for the project costs;

(2) the effect, if any, a STAR bond project will have on any outstanding special obligation bonds payable from the revenues described in K.S.A. 12-17,169, and amendments thereto;

(3) a statement of how the jobs and taxes obtained from the STAR bond project will contribute significantly to the economic development of the state and region;

(4) visitation expectations and a plan describing how the number of visitors to the STAR bond project district will be tracked and reported to the secretary on an annual basis. Such plan shall include, but not be limited to, obtaining and reporting visitor residence zip code data to the secretary. ~~All businesses located in the STAR bond district shall provide visitor residence data requested by the secretary. Any such data shall be provided in an aggregate manner without personally identifiable information;~~

(5) the unique quality of the project;

(6) economic impact study, including the anticipated effect of the

project on the regional and statewide economies;

- (7) market study;
- (8) market impact study;
- (9) integration and collaboration with other resources or businesses;
- (10) the quality of service and experience provided, as measured against national consumer standards for the specific target market;
- (11) project accountability, measured according to best industry practices;
- (12) the expected return on state and local investment that the project is anticipated to produce;
- (13) a net return on investment analysis;
- (14) a statement concerning whether a portion of the local sales and use taxes are pledged to other uses and are unavailable as revenue for the STAR bond project. If a portion of local sales and use taxes is so committed, the applicant shall describe the following:
 - (A) The percentage of city and county sales and use taxes collected that are so committed; and
 - (B) the date or dates on which the city and county sales and use taxes pledged to other uses can be pledged for repayment of bonds;
- (15) an anticipated principal and interest payment schedule on the bond issue;
- (16) a summary of community involvement, participation and support for the STAR bond project; and
- (17) a full disclosure and description of all state, federal and local tax incentives that apply or, pursuant to the project plan, are anticipated to apply within the STAR bond district or that apply to any business located in or, pursuant to the project plan, that will locate in the district.

The failure to include all information enumerated in this subsection in the feasibility study for a STAR bond project shall not affect the validity of bonds issued pursuant to this act.

(c) If the city or county determines the project is feasible, the project plan shall include:

- (1) A summary of the feasibility study done as defined in subsection (b);
- (2) a reference to the district plan established under K.S.A. 12-17,165, and amendments thereto, that identifies the project area that is set forth in the project plan that is being considered;
- (3) a description and map of the project area to be redeveloped;
- (4) the relocation assistance plan as described in K.S.A. 12-17,172, and amendments thereto;
- (5) a detailed description of the buildings and facilities proposed to be constructed or improved in such area;
- (6) the names of the owners, partners, officers or principals of any developer of the project and of any associated business partner of any developer of the project that is involved in the STAR bond project; and
- (7) any other information the governing body of the city or county deems necessary to advise the public of the intent of the project plan.

(d) A copy of the STAR bond project plan prepared by a city shall be delivered to the board of county commissioners of the county and the board of education of any school district levying taxes on property within the STAR bond project area. A copy of the STAR bond project plan prepared by a county shall be delivered to the board of education of any school district levying taxes on property within the STAR bond project area.

(e) Upon a finding by the planning commission that the STAR bond project plan is consistent with the intent of the comprehensive plan for the development of the city, and a finding by the planning commission of the county, if any, with respect to a STAR bond project located wholly outside the boundaries of the city, that the STAR bond project plan is consistent with the intent of the comprehensive plan for the development of the county, the governing body of the city or county shall adopt a resolution stating that the city or county is considering the adoption of the STAR bond project plan. Such resolution shall:

(1) Give notice that a public hearing will be held to consider the adoption of the STAR bond project plan and fix the date, hour and place of such public hearing. In addition to any other notice, such notice shall be conspicuously provided at a prominent location on the first page of the website of the county or city, if the county or city has a website;

(2) describe the boundaries of the STAR bond project district within which the STAR bond project will be located and the date of establishment of such district;

(3) describe the boundaries of the area proposed to be included within the STAR bond project area; and

(4) state that the STAR bond project plan, including a summary of the feasibility study, market study, relocation assistance plan and financial guarantees of the prospective developer and a description and map of the area to be redeveloped or developed are available for inspection during regular office hours in the office of the city clerk or county clerk, respectively.

(f) (1) The date fixed for the public hearing to consider the adoption of the STAR bond project plan shall be not less than 30 nor more than 70 days following the date of the adoption of the resolution fixing the date of the hearing.

(2) A copy of the city or county resolution providing for the public hearing shall be by certified mail, return receipt requested, sent by the city to the board of county commissioners of the county and by the city or county to the board of education of any school district levying taxes on property within the proposed STAR bond project area. Copies also shall be sent by certified mail, return receipt requested to each owner and occupant of land within the proposed STAR bond project area not more than 10 days following the date of the adoption of the resolution. The resolution shall be published once in the official city or county newspaper not less than one week nor more than two weeks preceding the date fixed for the public hearing. A sketch clearly delineating the area in sufficient detail to advise the reader of the particular land proposed to be included within the STAR bond project area shall be published with the resolution.

(3) At the public hearing, a representative of the city or county shall present the city's or county's proposed STAR bond project plan. The presentation shall include a discussion of the feasibility study, including a description of all state, federal and local tax incentives that apply within the STAR bond district or are anticipated to apply within the district pursuant to the project plan or to any business located in the district or that will locate in the district pursuant to the project plan. Following the presentation of the STAR bond project area, all interested persons shall be given an opportunity to be heard. The governing body for good cause shown may recess such hearing to a time and date certain, which shall be fixed in the presence of persons in attendance at the hearing.

(g) The public hearing records and feasibility study shall be subject to the open records act, K.S.A. 45-215, and amendments thereto, and, if the city or county has a website, shall be placed conspicuously on such website at the same location or linked to the same location on the first page of the website as the notice for the hearing.

(h) Upon conclusion of the public hearing, the governing body may adopt the STAR bond project plan by ordinance or resolution passed upon a two-thirds vote of the members.

(i) After the adoption by the city or county governing body of a STAR bond project plan, the clerk of the city or county shall transmit a copy of the description of the land within the STAR bond project district, a copy of the ordinance or resolution adopting the plan and a map or plat indicating the boundaries of the district to the clerk, appraiser and treasurer of the county in which the district is located and to the governing bodies of the county and school district which levy taxes upon any property in the district. Such documents shall be

transmitted following the adoption or modification of the plan or a revision of the plan on or before January 1 of the year in which the increment is first allocated to the taxing subdivision.

(j) If the STAR bond project plan is approved, the feasibility study shall be supplemented to include a copy of the minutes of the governing body meetings of any city or county whose bonding authority will be utilized in the STAR bond project, evidencing that a STAR bond project plan has been created, discussed and adopted by the city or county in a regularly scheduled open public meeting. *The secretary shall make the following information publicly available on the department of commerce's website:*

- (A) *The feasibility study;*
- (B) *the STAR bond project plan; and*
- (C) *on a continuing basis, any subsequent modified versions of the information required by subparagraphs (A) and (B).*

(k) Any substantial changes as defined in K.S.A. 12-17,162, and amendments thereto, to the STAR bond project plan as adopted shall be subject to a public hearing following publication of notice thereof at least twice in the official city or county newspaper.

(l) Any STAR bond project shall be completed within 20 years from the date of the approval of the STAR bond project plan. ~~The maximum maturity on bonds issued to finance projects pursuant to this act shall not exceed 20 years.~~

(m) Kansas resident employees shall be given priority consideration for employment in construction projects located in a STAR bond project area.

(n) Any developer of a STAR bond project shall commence work on the project within two years from the date of adoption of the STAR bond project plan. Should the developer fail to commence work on the STAR bond project within the two-year period, funding for such project shall cease and the developer of such project or complex shall have one year to resubmit the project to the secretary and to appeal to the secretary for reapproval of such project and the funding for it. Should the project be reapproved, the two-year period for commencement shall apply.

(o) *In collaboration with the STAR bond project developer or developers and the governing body of a city or county that established the STAR bond district, the secretary shall collect visitor data using ticket sales tracking, reliable software or other similar technology that tracks visitation trends for each STAR bond district that receives state sales tax revenues until the bond debt service associated with the STAR bond district has been satisfied but in any event not later than the maturity period of the bond issuance. The secretary shall compile and include this data in the report required to be submitted to the house of representatives committee on commerce, labor and economic development and the senate committee on commerce pursuant to K.S.A. 12-17,169, and amendments thereto. Any such data shall be collected in an aggregate manner without personally identifiable information.*

(p) (1) *In the event that all STAR bonds issued for a project, or issuance of bonds to refund or refinance bonds previously issued for such project, including any such bonds issued in one or more series for a project pursuant to a project plan approved prior to June 30, 2026, or project approved pursuant to an agreement executed pursuant to K.S.A. 12-17,181, and amendments thereto, have been paid in full prior to the maximum period allowed pursuant to the STAR bond financing act, in addition to any other applicable requirements pursuant to the STAR bonds financing act, the secretary of commerce shall not approve a new STAR bond project and a city or county or the Kansas development finance authority shall not issue new or additional STAR bonds for such new STAR bond project that are to be financed from sales tax or other revenues from the existing STAR bond project area unless:*

- (A) *A new tax increment base for the proposed STAR bond project district area for the new project is established pursuant to the STAR*

bonds financing act; and

(B) the issuance of such new bonds is expressly approved in writing by both the secretary of commerce and the governing body of the city or county that created such district.

(2) Nothing in this subsection shall prohibit the issuance of bonds:

(A) In one or more series to finance a STAR bond project approved prior to June 30, 2026, including a project authorized under K.S.A. 12-17,181, and amendments thereto, and approved by the secretary and the legislative coordinating council prior to such date, without being subject to the requirements of paragraphs (1)(A) and (B);

(B) in one or more series to finance a STAR Bond project approved after June 30, 2026; or

(C) to refund or refinance bonds previously issued.

Sec. 13. K.S.A. 2025 Supp. 12-17,169 is hereby amended to read as follows: 12-17,169. (a) (1) Any city or county shall have the power to issue special obligation bonds in one or more series to finance the undertaking of any STAR bond project in accordance with the provisions of this act. Rural redevelopment projects, as defined in K.S.A. 12-17,162, and amendments thereto, may also be financed without the issuance of special obligation bonds up to an amount not to exceed \$10,000,000 for each project. Such special obligation bonds or rural redevelopment project costs shall be made payable, both as to principal and interest:

(A) From revenues of the city or county derived from or held in connection with the undertaking and carrying out of any STAR bond project or projects under this act including historic theater sales tax increments;

(B) from any private sources, contributions or other financial assistance from the ~~state or~~ federal government;

(C) from a pledge of 100% of the tax increment revenue received by the city from any local sales and use taxes, including the city's share of any county sales tax, ~~which that~~ are collected from taxpayers doing business within ~~that portion of the city's STAR bond project district established pursuant to K.S.A. 12-17,165, and amendments thereto, occupied by a STAR bond project~~ one or more STAR bond project areas, except for amounts committed to other uses by election of voters or pledged to bond repayment prior to the approval of the STAR bond project;

(D) at the option of the county in a city STAR bond project district, from a pledge of all of the tax increment revenues received by the county from any local sales and use taxes ~~which but excluding any portions of such taxes that are allocated to the cities in such county pursuant to K.S.A. 12-192, and amendments thereto, that~~ are collected from taxpayers doing business within ~~that portion of the city's STAR bond project district established pursuant to K.S.A. 12-17,165, and amendments thereto~~ one or more STAR bond project areas, except for amounts committed to other uses by election of voters or pledged to bond repayment prior to the approval of a STAR bond project;

(E) in a county STAR bond project district, from a pledge of 100% of the tax increment revenue received by the county from any county sales and use tax, but excluding any portions of such taxes that are allocated to the cities in such county pursuant to K.S.A. 12-192, and amendments thereto, which are collected from taxpayers doing business within ~~that portion of the county's STAR bond project district established pursuant to K.S.A. 12-17,165, and amendments thereto, occupied by a~~ one or more STAR bond project areas;

(F) from a pledge of all or a portion of the tax increment revenue received from any state sales taxes which are collected from taxpayers doing business within ~~that portion of the city's or county's STAR bond project district occupied by a~~ one or more STAR bond project areas, except that for any STAR bond project district established and approved by the secretary on or after January 1, 2017, such tax increment shall not include any sales tax revenue from retail

automobile dealers, and except that for any STAR bond project district established after July 1, 2021, with existing sales tax revenue at the time the district was established, such pledge shall not exceed 90% of the new tax increment revenue that is in excess of the base existing sales tax revenue received from any state sales taxes;

(G) at the option of the city or county and with approval of the secretary, from all or a portion of the transient guest tax of such city or county;

(H) at the option of the city or county and with approval of the secretary: (i) From a pledge of all or a portion of increased revenue received by the city or county from franchise fees collected from utilities and other businesses using public right-of-way within the STAR bond project district; (ii) *from a pledge of all or a portion of the revenue received by the city or county from the establishment of a community improvement district formed under K.S.A. 12-6a26 et seq., and amendments thereto, or a transportation development district formed pursuant to K.S.A. 12-17,140 et seq., and amendments thereto;* or ~~(ii)~~ (iii) from a pledge of all or a portion of the revenue received by a city or county from local sales ~~taxes, use or local~~ transient guest ~~and local-use~~ taxes collected from taxpayers doing business outside of the boundaries of the STAR bond project district; or

(I) by any combination of these methods.

The city or county may pledge such revenue to the repayment of such special obligation bonds prior to, simultaneously with, or subsequent to the issuance of such special obligation bonds.

As authorized by the secretary, the Kansas development finance authority shall have the power to issue special obligation bonds in one or more series to finance the undertaking of a STAR bond project as defined in K.S.A. 12-17,162(aa)(1), and amendments thereto, that has been established by a city or county and approved by the secretary of commerce pursuant to K.S.A. 12-17,164 and 12-17,167, and amendments thereto. Such special obligation bonds shall not be general obligations of the state. Any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority and shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas. Such special obligation bonds shall be made payable, both as to principal and interest, solely from the revenues described in subsection (a)(1)(A) through (I).

(2) (A) Special obligation bonds issued by a city or county to finance a STAR bond project as defined in K.S.A. 12-17,162(aa)(2), and amendments thereto, that has been approved by the secretary in accordance with K.S.A. 2025 Supp. 12-17,181, and amendments thereto, shall be made payable, both as to principal and interest, from a pledge of:

(i) Any method or combination of the methods described in paragraph (1), except that tax increment revenue from sales taxes shall include sales tax revenue from all retail sales of any business located within the district and up to 100% of the new state sales tax increment revenue that is in excess of the base sales tax revenue, as set in the secretary's discretion, received from any state sales taxes. The city or county shall have discretion to set the base sales tax revenue for local sales and use taxes as approved by the secretary;

(ii) tax increment revenue from up to 100% of the taxes imposed on the sale of alcoholic liquor, as defined in K.S.A. 79-41a01, and amendments thereto, collected from sales within the district pursuant to K.S.A. 79-4101 and 79-41a02, and amendments thereto; and

(iii) if approved by the secretary, moneys from the attracting professional sports to Kansas fund of the department of commerce.

(B) As authorized by the secretary, the Kansas development finance authority shall have the power to issue special obligation bonds in one or more series to finance the undertaking of a STAR bond project as defined in K.S.A. 12-17,162(aa)(2), and amendments thereto,

that has been established by a city or county and approved by the secretary of commerce pursuant to K.S.A. 2025 Supp. 12-17,181, and amendments thereto, or undertaken independently by the secretary pursuant to K.S.A. 12-17,164, and amendments thereto, with or without the participation of the city or county. Such special obligation bonds shall not be general obligations of the state. Any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority and shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas. Such special obligation bonds shall be made payable, both as to principal and interest, solely from:

(i) Tax increment revenue as determined in the secretary's discretion, from up to 100% of state sales taxes, including state sales tax revenue from all retail sales of any business located within the district;

(ii) tax increment revenue from up to 100% of the taxes imposed on the sale of alcoholic liquor as defined in K.S.A. 79-41a01, and amendments thereto, from sales within the district pursuant to K.S.A. 79-4101 and 79-41a02, and amendments thereto;

(iii) if approved by the city or county, revenue from any of the other methods or combination of methods as provided in subparagraph (A)(i); and

(iv) if approved by the secretary, moneys from the attracting professional sports to Kansas fund of the department of commerce.

(C) For purposes of this paragraph, "district" means the STAR bond project district as defined in K.S.A. 12-17,162(cc)(2), and amendments thereto. Revenues may be collected pursuant to this paragraph from noncontiguous parcels of real estate and areas not being developed by a STAR bond project as defined in subsection (aa)(2) within such STAR bond project district.

(D) Any revenues that have been pledged to pay one or more STAR bonds previously issued pursuant to this act shall be used first to satisfy any remaining obligations of such bonds.

(3) Bonds issued *by a city or county* under subsection (a)(1) or (a)(2)(A) shall not be general obligations of the city or the county, nor in any event shall they give rise to a charge against its general credit or taxing powers, or be payable out of any funds or properties other than any of those set forth in subsection (a)(1) or (a)(2)(A) and such bonds shall so state on their face.

(4) Bonds issued *by a city or county* under the provisions of subsection (a)(1) or (a)(2)(A) shall be special obligations of the city or county and are declared to be negotiable instruments. Such bonds shall be executed by the mayor and clerk of the city or the chairperson of the board of county commissioners and the county clerk and sealed with the corporate seal of the city or county. All details pertaining to the issuance of such special obligation bonds and terms and conditions thereof shall be determined by ordinance of the city or by resolution of the county.

All special obligation bonds issued pursuant to this act and all income or interest therefrom shall be exempt from all state taxes. Such special obligation bonds shall contain none of the recitals set forth in K.S.A. 10-112, and amendments thereto. Such special obligation bonds shall, however, contain the following recitals: (i) The authority under which such special obligation bonds are issued; (ii) such bonds are in conformity with the provisions, restrictions and limitations thereof; and (iii) that such special obligation bonds and the interest thereon are to be paid from the money and revenue received as provided in subsection (a)(1) and (a)(2).

(5) Any city or county issuing special obligation bonds under the provisions of this act may refund all or part of such issue pursuant to the provisions of K.S.A. 10-116a, and amendments thereto. If and as approved by the secretary of commerce, the Kansas development finance authority may refund all or part of any issue of special

obligation bonds issued for a project as defined in K.S.A. 12-17,162(aa)(2), and amendments thereto, by the Kansas development finance authority under the provisions of this act pursuant to the provisions of K.S.A. 74-8912, and amendments thereto, and this act.

(6) *Under no circumstance shall state general fund moneys be pledged for the repayment of any special obligation bond issued by a city or county to finance a STAR bond project pursuant to subsection (a)(1) or (a)(2).*

(b) (1) Subject to the provisions of subsection (b)(2), any city shall have the power to issue full faith and credit tax increment bonds to finance the undertaking, establishment or redevelopment of any major motorsports complex, as defined in K.S.A. 12-17,162, and amendments thereto. Such full faith and credit tax increment bonds shall be made payable, both as to principal and interest: (A) From the revenue sources identified in subsection (a)(1) or by any combination of these sources; and (B) subject to the provisions of subsection (b)(2), from a pledge of the city's full faith and credit to use its ad valorem taxing authority for repayment thereof in the event all other authorized sources of revenue are not sufficient.

(2) Except as provided in subsection (b)(3), before the governing body of any city proposes to issue full faith and credit tax increment bonds as authorized by this subsection, the feasibility study required by K.S.A. 12-17,166(b), and amendments thereto, shall demonstrate that the benefits derived from the project will exceed the cost and that the income therefrom will be sufficient to pay the costs of the project. No full faith and credit tax increment bonds shall be issued unless the governing body states in the resolution required by K.S.A. 12-17,166(e), and amendments thereto, that it may issue such bonds to finance the proposed STAR bond project. The governing body may issue the bonds unless within 60 days following the conclusion of the public hearing on the proposed STAR bond project plan a protest petition signed by 3% of the qualified voters of the city is filed with the city clerk in accordance with the provisions of K.S.A. 25-3601 et seq., and amendments thereto. If a sufficient petition is filed, no full faith and credit tax increment bonds shall be issued until the issuance of the bonds is approved by a majority of the voters voting at an election thereon. Such election shall be called and held in the manner provided by the general bond law. The failure of the voters to approve the issuance of full faith and credit tax increment bonds shall not prevent the city from issuing special obligation bonds in accordance with this section. No such election shall be held in the event the board of county commissioners or the board of education determines, as provided in K.S.A. 12-17,165, and amendments thereto, that the proposed STAR bond project district will have an adverse effect on the county or school district.

(3) As an alternative to subsection (b)(2), any city which adopts a STAR bond project plan for a major motorsports complex, but does not state its intent to issue full faith and credit tax increment bonds in the resolution required by K.S.A. 12-17,166(e), and amendments thereto, and has not acquired property in the STAR bond project area may issue full faith and credit tax increment bonds if the governing body of the city adopts a resolution stating its intent to issue the bonds and the issuance of the bonds is approved by a majority of the voters voting at an election thereon. Such election shall be called and held in the manner provided by the general bond law. The failure of the voters to approve the issuance of full faith and credit tax increment bonds shall not prevent the city from issuing special obligation bonds pursuant to subsection (a)(1). Any project plan adopted by a city prior to the effective date of this act in accordance with K.S.A. 12-1772, and amendments thereto, shall not be invalidated by any requirements of this act.

(4) During the progress of any major motorsports complex project in which the project costs will be financed, in whole or in part, with the proceeds of full faith and credit tax increment bonds, the city may issue

temporary notes in the manner provided in K.S.A. 10-123, and amendments thereto, to pay the project costs for the major motorsports complex project. Such temporary notes shall not be issued and the city shall not acquire property in the STAR bond project area until the requirements of subsection (b)(2) or (b)(3), whichever is applicable, have been met.

(5) Full faith and credit tax increment bonds issued under this subsection shall be general obligations of the city and are declared to be negotiable instruments. Such bonds shall be issued in accordance with the general bond law. All such bonds and all income or interest therefrom shall be exempt from all state taxes. The amount of the full faith and credit tax increment bonds issued and outstanding which exceeds 3% of the assessed valuation of the city shall be within the bonded debt limit applicable to such city.

(6) Any city issuing full faith and credit tax increment bonds under the provisions of this subsection may refund all or part of such issue pursuant to the provisions of K.S.A. 10-116a, and amendments thereto.

(c) (1) For each project established by a city or county financed with special obligation bonds payable from the revenues described in subsection (a)(1) and (a)(2), the city or county shall prepare and submit to the secretary by October 1 of each year, a report describing the status of any projects within such STAR bond project area, any expenditures of the proceeds of special obligation bonds that have occurred since the last annual report and any expenditures of the proceeds of such bonds expected to occur in the future, including the amount of sales tax revenue, how such revenue has been spent, the projected amount of such revenue, the anticipated use of such revenue and the names of the owners, partners, officers or principals of any developer and of any associated business partners of any developer that are involved in the STAR bond project. The department of commerce shall compile this information and submit a report annually to the governor and the legislature by February 1 of each year.

(2) (A) In addition to the report referenced in paragraph (1), the department of commerce, in cooperation with the department of revenue, shall submit a report to the senate commerce committee and the house commerce, labor and economic development committee by January 31 of each session. The report shall include the following information for the last three calendar years and the most current year-to-date information available with respect to each STAR bond district:

(i) The gross annual sales, gross annual sales projected pursuant to the STAR bond project plan and feasibility study, gross annual sales required to meet bond debt service requirements and other expenses, amount of sales tax collected and the amount of any "base" sales taxes being allocated to the district;

(ii) the total amount of bond payments and other expenses incurred;

(iii) the total amount of bonds issued and the balance of the bonds, by district and by project in the district;

(iv) the remaining cash balance in the project to pay future debt service and other expenses;

(v) any new income producing properties being brought into a district and the base revenue going to the state general fund and incremental sales tax increases going to the district with respect to such properties;

(vi) the amount of bonds issued to repay private investors in the project with calculations showing the private and state share of indebtedness;

(vii) the percentage of local effort sales tax actually committed to the district compared to the state's share of sales tax percentage committed to the district;

(viii) the number of out-of-state visitors to a project and description of the data gathered pursuant to the visitor tracking plan, including, but not limited to, residence zip code data, a discussion of

the visitor attraction properties of projects in the districts, and a comparison of the number of out-of-state visitors with the number of in-state visitors;~~and~~

(ix) *the number of businesses that have moved into and out of each STAR bond district;*

(x) (a) *the number of businesses that relocated from a Kansas location into each STAR bond district;*

(b) *the amount of sales tax revenue lost from the sales tax base of each STAR bond district as the result of businesses moving out of the district or going out of business; and*

(c) *the total aggregate amount of local sales tax revenue lost to all jurisdictions outside STAR bond districts as the result of such relocations; and*

(~~ix~~)(xi) if any information or data is not available, an explanation as to why it is not available.

(B) Either the senate commerce committee or the house committee on commerce, labor and economic development may amend the information required in the report with additional requests and clarification on a going forward basis.

(3) Cities, counties and developers shall provide all information requested by the secretary for the secretary's database as provided by K.S.A. 2025 Supp. 74-50,227, and amendments thereto. If the city or county has a website, a conspicuous link directly to the information pertaining to the city or county's STAR bond project on the secretary's database shall be placed on the city's or county's website. A separate link shall be provided for each STAR bond project of the city or county.

(d) The reports pursuant to subsection (c)(1) and (2) shall include a description of all state, federal and local tax incentives that apply within the STAR bond district or to any business located in the district.

(e) (1) A city or county may use the proceeds of special obligation bonds or any uncommitted funds derived from sources set forth in this section to pay the bond project costs as defined in K.S.A. 12-17,162, and amendments thereto, to implement the STAR bond project plan.

(2) As authorized by the secretary, the Kansas development finance authority may issue and use the proceeds of special obligation bonds to pay the bond project costs as defined in K.S.A. 12-17,162, and amendments thereto, to implement a STAR bond project plan for a project as defined in K.S.A. 12-17,162(aa)(2), and amendments thereto.

(f) With respect to a STAR bond project district established prior to January 1, 2003, for which, prior to January 1, 2003, the secretary made a finding as provided in subsection (a) that a STAR bond project would create a major tourism area for the state, such special obligation bonds shall be payable both as to principal and interest, from a pledge of all of the revenue from any transient guest, state and local sales and use taxes collected from taxpayers as provided in subsection (a) whether or not revenues from such taxes are received by the city.

Sec. 14. K.S.A. 12-17,172 is hereby amended to read as follows: 12-17,172. ~~(a) Any city or county which has adopted a STAR bond project plan in accordance with the provisions of this act may purchase or otherwise acquire real property in connection with such project plan. Upon a ²/₃ vote of the members of the governing body thereof, a city or county may acquire by condemnation any interest in real property, including a fee simple title thereto, which it deems necessary for or in connection with any project plan of an area located within the project district; however, eminent domain may be used only as authorized by K.S.A. 26-501b, and amendments thereto.~~

~~Any such city or county may exercise the power of eminent domain in the manner provided by K.S.A. 26-501 et seq., and amendments thereto. In addition to any compensation or damages allowed under the eminent domain procedure act, such city or county shall also provide for the payment of relocation assistance as provided in K.S.A. 12-17,173, and amendments thereto. No city or county shall exercise eminent domain power to acquire real property for a STAR bond project.~~

(b) Any real property *otherwise* acquired by a city or county ~~under the provisions of K.S.A. 26-501 et seq., and amendments thereto,~~ may be sold, transferred or leased to a developer, in accordance with the STAR bond project plan and under such other conditions as may be agreed upon. Any real property acquired pursuant to this section that is sold, transferred or leased to a project developer for a specific project shall be sold, transferred or leased to such developer on the condition that such property shall be used only for that specific approved project. If the developer does not utilize the entire tract of the real property acquired pursuant to this section that is sold, transferred or leased in accordance with the STAR bond project plan, that portion of property not used shall not be sold, transferred or leased by the developer to another developer party, but shall be deeded back to the city or county. If the developer paid the city or county for the land, a percentage of the original purchase price paid to the city or county ~~which~~ *that* represents the percentage of the entire tract being deeded back to the city or county shall be reimbursed to the developer upon the deeding of the property back to the city or county.

(c) Any transfer by the project developer of real property acquired pursuant to this section shall be valid only if approved by a $\frac{2}{3}$ majority vote of the members of the governing body of ~~this~~ *the* city or county *where such real property is located*.

Sec. 15. K.S.A. 12-17,179 is hereby amended to read as follows: 12-17,179. (a) A city that created a redevelopment district in an eligible area that was approved for STAR bonds prior to the effective date of this act for the city of Manhattan Discovery Center on December 28, 2006, and the Schlitterbahn project in Wyandotte county on December 23, 2005, may by ordinance elect to have the provisions of this act applicable to such redevelopment district.

(b) ~~Subject to the provisions of section 61(h) of chapter 5 of the 2020 Session Laws of Kansas, the provisions of this act regarding STAR bond projects shall expire.~~ *The secretary shall not make a finding that a proposed STAR bond project district is an eligible area on and after July 1, 2026 2031.*

Sec. 16. K.S.A. 2025 Supp. 22-4714 is hereby amended to read as follows: 22-4714. (a) A governmental agency other than a criminal justice agency as defined in K.S.A. 22-4701, and amendments thereto, identified in subsection (b) may require a person to be fingerprinted and shall submit such fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a search of the state and federal database. Fingerprints provided pursuant to this section may be used to identify a person and to determine whether such person has a record of criminal history in this state or in another jurisdiction. An agency identified in subsection (b) may use the information obtained from the criminal history record check for the purposes of verifying the identification of a person and in the official determination of the qualifications and fitness of such person to be issued or maintain employment, licensure, registration, certification or a permit, act as an agent of a licensee, hold ownership of a licensee or serve as a director or officer of a licensee.

(b) (1) The Kansas bureau of investigation shall release criminal history record information related to adult convictions, adult non-convictions, adult diversions, adult expunged records, juvenile adjudications, juvenile non-adjudications, juvenile diversions and juvenile expunged records to:

(A) The Kansas department for children and families or the Kansas department for aging and disability services for initial or continuing employment or participation in any program administered for the placement, safety, protection or treatment of vulnerable children or adults as described in K.S.A. 75-53,105, and amendments thereto;

(B) the attorney general for applicants as defined in K.S.A. 75-7b01, and amendments thereto, in connection with such application as described in K.S.A. 75-7b04 and 75-7b17, and amendments thereto;

(C) the attorney general for applicants as defined in K.S.A. 75-

7c02, and amendments thereto, in connection with such application as described in K.S.A. 75-7c05, and amendments thereto;

(D) the attorney general for applicants as defined in K.S.A. 75-7b01, and amendments thereto, in connection with such application for certification as described in K.S.A. 75-7b21, and amendments thereto; and

(E) the attorney general for applicants as defined in K.S.A. ~~7e01~~ 75-7e01, and amendments thereto, in connection with such application as described in K.S.A. 75-7e03, and amendments thereto.

(2) The Kansas bureau of investigation shall release criminal history record information related to adult convictions, adult non-convictions, adult diversions, adult expunged records and juvenile expunged records to:

(A) The state lottery for candidates for employees as defined in K.S.A. 74-8702, and amendments thereto, in connection with such employment as described in K.S.A. 74-8704, and amendments thereto; and

(B) the Kansas racing and gaming commission for candidates for employees or licensees as defined in K.S.A. 74-8802, and amendments thereto, in connection with such employment or license as described in K.S.A. 74-8804, and amendments thereto, including an applicant for a simulcasting license.

(3) The Kansas bureau of investigation shall release criminal history record information related to adult convictions, adult non-convictions, adult diversions, adult expunged records, juvenile adjudications, juvenile non-adjudications and juvenile diversions to:

(A) The emergency medical services board for applicants as defined in K.S.A. 65-6129, and amendments thereto, in connection with such application as described in K.S.A. 65-6129, and amendments thereto;

(B) the department of administration for candidates for sensitive employees as defined in K.S.A. 75-3707e, and amendments thereto, in connection with such employment as described in K.S.A. 75-3707e, and amendments thereto; and

(C) the state gaming agency for candidates for employees and licensees as defined in K.S.A. 74-9802, and amendments thereto, in connection with such employment or license as described in K.S.A. 74-9805, and amendments thereto.

(4) The Kansas bureau of investigation shall release criminal history record information related to adult convictions, adult non-convictions, adult diversions and adult expunged records to:

(A) The supreme court and state board of law examiners for applicants as defined in K.S.A. 7-127, and amendments thereto, in connection with such application as described in K.S.A. 7-127, and amendments thereto; and

(B) the commission on peace officers' standards and training for applicants for certification under the Kansas law enforcement training act as described in K.S.A. 74-5607, and amendments thereto.

(5) The Kansas bureau of investigation shall release criminal history record information related to adult convictions, adult non-convictions, adult diversions and juvenile adjudications to:

(A) The athletic commission within the Kansas department of commerce for a candidate for boxing commission as defined in K.S.A. 74-50,182, and amendments thereto, in connection with such appointment as described in K.S.A. 74-50,184, and amendments thereto;

(B) the secretary of health and environment for employees at a child care facility as defined in K.S.A. 65-503, and amendments thereto, in connection with such employment as described in K.S.A. 65-516, and amendments thereto;

(C) the secretary of commerce for final applicants for a sensitive position or employees in a sensitive position as defined in K.S.A. 2025 Supp. 74-5005a, and amendments thereto, in connection with such employment as described in K.S.A. 2025 Supp. 74-5005a, and

amendments thereto;

(D) the secretary of labor for employees as defined in K.S.A. 75-5702, and amendments thereto, in connection with such employment as described in K.S.A. 75-5702, and amendments thereto; and

(E) the state bank commissioner for any officer, partner, member, owner, principal or director of an applicant or registrant in connection with such application or registration as described in K.S.A. 2025 Supp. 9-2411, and amendments thereto.

(6) The Kansas bureau of investigation shall release criminal history record information related to adult convictions and juvenile adjudications to:

(A) The secretary for aging and disability services for applicants as defined in K.S.A. 39-970, and amendments thereto, in connection with such application as described in K.S.A. 39-970, and amendments thereto;

(B) the Kansas department for aging and disability services for applicants as defined in K.S.A. 39-2009, and amendments thereto, in connection with such application as described in K.S.A. 39-2009, and amendments thereto; and

(C) the secretary for aging and disability services for applicants as defined in K.S.A. 65-5117, and amendments thereto, in connection with such application as described in K.S.A. 65-5117, and amendments thereto.

(7) The Kansas bureau of investigation shall release criminal history record information related to adult convictions and adult non-convictions to:

(A) The division of motor vehicles within the department of revenue for applicants for reinstatement of a license to drive a commercial motor vehicle as described in K.S.A. 8-2,142, and amendments thereto;

(B) the board of examiners in optometry for applicants or licensees as defined in K.S.A. 65-1501, and amendments thereto, in connection with such application or an investigation as described in K.S.A. 65-1505, and amendments thereto;

(C) the board of pharmacy for fingerprint candidates as defined in K.S.A. 65-1626, and amendments thereto, in connection with such application or license as described in K.S.A. 65-1696, and amendments thereto;

(D) the state board of healing arts for applicants or licensees as defined in K.S.A. 65-2802, and amendments thereto, in connection with such application or an investigation as described in K.S.A. 65-28,129, and amendments thereto;

(E) the state board of healing arts for applicants or licensees as defined in K.S.A. 65-2901, and amendments thereto, in connection with such application or an investigation as described in K.S.A. 65-2924, and amendments thereto;

(F) the board of nursing for applicants as defined in K.S.A. 74-1112, and amendments thereto, in connection with such application as described in K.S.A. 74-1112, and amendments thereto;

(G) the behavioral sciences regulatory board for licensees as defined in K.S.A. 74-7511, and amendments thereto, in connection with such application or license as described in K.S.A. 74-7511, and amendments thereto;

(H) the state lottery for a vendor to whom a major procurement contract is to be awarded in connection with an investigation as described in K.S.A. 74-8705, and amendments thereto;

(I) the attorney general for appointees of the governor to positions subject to confirmation by the senate and judicial appointees as described in K.S.A. 75-712, and amendments thereto;

(J) appointing authorities as defined in K.S.A. 75-4315d, and amendments thereto, for nongubernatorial appointees as described in K.S.A. 75-4315d, and amendments thereto;

(K) the Kansas real estate commission for applicants as defined in K.S.A. 58-3035, and amendments thereto, or for licensees as defined in

K.S.A. 58-3035, and amendments thereto, in connection with an investigation as described in K.S.A. 58-3039, and amendments thereto;

(L) the insurance commissioner for applicants for licensure as an insurance agent as defined in K.S.A. 40-4902, and amendments thereto, in connection with such application as described in K.S.A. 40-4905, and amendments thereto;

(M) the insurance commissioner for applicants as defined in K.S.A. 40-5501, and amendments thereto, in connection with such application as described in K.S.A. 40-5505, and amendments thereto;
~~and~~

(N) the state bank commissioner for applicants in control of a licensee, licensees or key individuals as defined in K.S.A. 2025 Supp. 9-555, and amendments thereto, in connection with such application as described in K.S.A. 2025 Supp. 9-565, and amendments thereto; *and*

(O) appointing authorities as defined in section 2, and amendments thereto, for appointees as described in section 3, and amendments thereto.

(8) The Kansas bureau of investigation shall release criminal history record information related to adult convictions to:

(A) The department of agriculture for hemp employees as defined in K.S.A. 2-3901, and amendments thereto, in connection with such employment as described in K.S.A. 2-3902, and amendments thereto;

(B) the department of agriculture for applicants for licensure as a hemp producer as defined in K.S.A. 2-3901, and amendments thereto, in connection with such application as described in K.S.A. 2-3906, and amendments thereto;

(C) the office of state fire marshal for applicants for registration as a hemp processor as defined in K.S.A. 2-3901, and amendments thereto, in connection with such application as described in K.S.A. 2-3907, and amendments thereto;

(D) the department of agriculture for hemp destruction employees as defined in K.S.A. 2-3901, and amendments thereto, in connection with such employment as described in K.S.A. 2-3911, and amendments thereto;

(E) the bank commissioner for any applicant as defined in K.S.A. 9-508, and amendments thereto, in connection with such application as described in K.S.A. 9-509, and amendments thereto;

(F) the bank commissioner for an applicant for employment as a new executive officer or director with a money transmitter company as described in K.S.A. 9-513e, and amendments thereto;

(G) the bank commissioner for any applicant as defined in K.S.A. 9-1719, and amendments thereto, in connection with such application as described in K.S.A. 9-1722, and amendments thereto;

(H) the bank commissioner for an applicant, registrant or licensee as defined in K.S.A. 9-2201, and amendments thereto, in connection with such application, registration or license as described in K.S.A. 9-2209, and amendments thereto;

(I) the state banking board for any officer, director or organizer of a proposed fiduciary financial institution as defined in K.S.A. 9-2301, and amendments thereto, in connection with such role as described in K.S.A. 9-2302, and amendments thereto;

(J) municipalities for applicants for merchant or security police as described in K.S.A. 12-1679, and amendments thereto;

(K) the bank commissioner for applicants as defined in K.S.A. 16a-6-104, and amendments thereto, in connection with such application as described in K.S.A. 16a-6-104, and amendments thereto;

(L) the state department of credit unions for every candidate as defined in K.S.A. 17-2234, and amendments thereto, in connection with such employment as described in K.S.A. 17-2234, and amendments thereto;

(M) the division of alcoholic beverage control within the department of revenue for applicants as defined in K.S.A. 41-102, and amendments thereto, in connection with such application as described in K.S.A. 41-311b, and amendments thereto;

(N) the division of post audit for employees as defined in K.S.A. 46-1103, and amendments thereto, in connection with such employment as described in K.S.A. 46-1103, and amendments thereto;

(O) the bank commissioner for licensees as defined in K.S.A. 50-1126, and amendments thereto, in connection with such license as described in K.S.A. 50-1128, and amendments thereto;

(P) the real estate appraisal board for licensees as defined in K.S.A. 58-4102, and amendments thereto, in connection with an application or investigation as described in K.S.A. 58-4127, and amendments thereto;

(Q) the real estate appraisal board for applicants as defined in K.S.A. 58-4703, and amendments thereto, in connection with such application as described in K.S.A. 58-4709, and amendments thereto;

(R) the department of health and environment for an employee as defined in K.S.A. 65-2401, and amendments thereto, in connection with such employment as described in K.S.A. 65-2402, and amendments thereto;

(S) the Kansas office of veterans services for candidates as defined in K.S.A. 73-1210a, and amendments thereto, in connection with an application as described in K.S.A. 73-1210a, and amendments thereto;

(T) a senate standing committee for a member named, appointed or elected to the public employee retirement systems board of trustee membership as described in K.S.A. 74-4905, and amendments thereto;

(U) the department of revenue for employees as defined in K.S.A. 75-5133c, and amendments thereto, in connection with such employment as described in K.S.A. 75-5133c, and amendments thereto;

(V) the division of motor vehicles within the department of revenue for employees as defined in K.S.A. 75-5156, and amendments thereto, in connection with such employment as described in K.S.A. 75-5156, and amendments thereto;

(W) the Kansas commission for the deaf and hard of hearing for applicants as defined in K.S.A. 75-5397f, and amendments thereto, in connection with such application as described in K.S.A. 75-5393a, and amendments thereto;

(X) the Kansas commission for the deaf and hard of hearing for employees as defined in K.S.A. 75-5397f, and amendments thereto, in connection with such employment as described in K.S.A. 75-5393c, and amendments thereto;

(Y) the department of health and environment for employees as defined in K.S.A. 75-5609a, and amendments thereto, in connection with such employment as described in K.S.A. 75-5609a, and amendments thereto; and

(Z) an executive branch agency head for employees as defined in K.S.A. 75-7241, and amendments thereto, in connection with such employment as described in K.S.A. 75-7241, and amendments thereto.

(c) State and local law enforcement agencies shall assist with taking fingerprints of individuals as authorized by this section.

(d) Any board, commission, committee or other public body shall recess into a closed executive session pursuant to K.S.A. 75-4319, and amendments thereto, to receive and discuss criminal history record information obtained pursuant to this section.

(e) The Kansas bureau of investigation may charge a reasonable fee for conducting a criminal history record check.

(f) (1) Fingerprints and criminal history record information received pursuant to this section shall be confidential and shall not be subject to the provisions of the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this paragraph shall expire on July 1, 2029, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2029.

(2) Disclosure or use of any information received pursuant to this section for any purpose other than the purpose described in this section shall be a class A nonperson misdemeanor and shall constitute grounds

for removal from office.

Sec. 17. K.S.A. 2025 Supp. 74-8793 is hereby amended to read as follows: 74-8793. (a) There is hereby established in the state treasury the attracting professional sports to Kansas fund. The attracting professional sports to Kansas fund shall be administered by the secretary of commerce. All expenditures from the fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of commerce, or the secretary's designee, for the purpose set forth in this section.

(b) The secretary of commerce is authorized to pledge *and use* all or a portion of the funds held in the attracting professional sports to Kansas fund or sports wagering revenues credited to or to be credited to the attracting professional sports to Kansas fund for the benefit of any professional sports team ~~and used~~ to pay:

(1) *Costs associated with the construction, rehabilitation, revitalization, expansion, maintenance, management or operation of a professional sports team's primary facility;*

(2) the principal or interest on any bonds issued by the state or any municipality, including, but not limited to, bonds issued pursuant to K.S.A. 12-1740 et seq., 12-1770 et seq. or 12-17,160 et seq., and amendments thereto, which shall include any such financing structured as pay-as-you-go, issued to fund the construction, rehabilitation, revitalization ~~or~~, expansion, *maintenance, management or operation* of a professional sports team's primary facility or any other ancillary development to such primary facility; *or*

(3) *costs associated with approved community impact projects.*

(c) Each month, the secretary of commerce shall certify to the director of accounts and reports the amount of moneys held in the attracting professional sports to Kansas fund that are in excess of the amount necessary for the purposes described in subsection (b). Upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the attracting professional sports to Kansas fund to the lottery operating fund established in K.S.A. 74-8711, and amendments thereto.

Sec. 18. K.S.A. 12-17,160, 12-17,166, 12-17,172, and 12-17,179 and K.S.A. 2025 Supp. 12-17,162, 12-17,164, 12-17,169, 22-4714 and 74-8793 are hereby repealed.

Sec. 19. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the HOUSE, and was adopted by that body

HOUSE adopted
Conference Committee Report_____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

SENATE adopted
Conference Committee Report_____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.