

## CHAPTER 41

( SB 88 )

AN ACT relating to city annexation filings.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 81A.470 is amended to read as follows:

- (1) ~~[[If the limits of a city are enlarged or reduced, the city shall, ]~~Within sixty (60) days of the enlargement or reduction ***of a city's boundaries, the city shall cause to be recorded***, ~~], cause an accurate map and description of the annexed, transferred, or severed area, together with a copy of the ordinance duly certified, to be recorded in the office of the county clerk of the county or counties in which the city is located and] in the office of the Secretary of State.[-]~~

(a) ***A duly certified paper or electronic copy of the final ordinance that changed the city's boundaries;***

(b) A ~~[-The]~~ map and a description ~~[-shall be -]~~prepared by a professional land surveyor ***depicting***, ~~[-The documents shall depict]~~ the parcel annexed, transferred, or severed as a closed geometric figure on a plat annotated with bearings and distances or sufficient curve data to describe each line. The professional land surveyor shall clearly state on the documents the location of the existing municipal boundary, any physical feature with which the proposed municipal boundary coincides, and a statement of the recorded deeds, plats, right-of-way plans, or other resources used to develop the documents depicting the municipal boundary, ***in paper or electronic form; and***

(c) ***An electronic file containing a closed geometric figure depicting the territory being added or removed that is referenced to a Kentucky State Plane Coordinate System zone in any one (1) of the following formats:***

1. ***AutoDesk AutoCAD DWG or DXF;***
2. ***Bentley MicroStation DGN; or***
3. ***ESRI ArcGIS Shapefile.***

***If the electronic file is attached to an e-mail communication, the e-mail and all files attached to that e-mail communication cumulatively shall not exceed fifteen (15) megabytes in size.***

- (2) No city which has annexed unincorporated or accepted transfer of incorporated territory may levy any tax upon the residents or property within the annexed or transferred area until the city has complied with the provisions of subsection (1) of this section, and of KRS 81A.475.

➔Section 2. KRS 81A.475 is amended to read as follows:

If any city annexes any unincorporated area, accepts the transfer of incorporated territory, or reduces the boundaries of the city, it shall be the duty of the legislative body of the city to provide within sixty (60) days, to the county clerk of the county in which the city is located, ***a duly certified paper or electronic copy of the final ordinance that changed the city's boundaries and a map and description meeting the requirements of subsection (1)(b) of Section 1 of this Act***~~[-clearly delineating the boundaries of the area affected]~~ along with a list of properties included in the annexation, transfer, or reduction. The list of properties required by this section shall include the name and address of each property owner.

➔Section 3. KRS 116.200 is amended to read as follows:

- (1) (a) On or before January 1, 2011, each city clerk, except in consolidated local governments and urban-county governments, shall provide the clerk of the county or counties in which the city is located with a list of all properties within the city and a map of the city boundaries for the county clerk to maintain a roster of voters who are eligible to vote in city elections. A county clerk may accept the list of city properties in an electronic format and the city clerk may provide a copy of the city's boundary map maintained by the Kentucky Commonwealth Office of Technology, Division of Enterprise Portfolios; and
- (b) Documentation of any change to the boundaries of a city shall be reported to the county clerk in accordance with KRS ~~[-81A.470 and]~~81A.475.

- (a) On or before January 1, 2011, each school district board shall provide the clerk of the county in which the school district is located with maps and written descriptions of the boundaries of each school board district located in the county for the county clerk to maintain a roster of voters who are eligible to vote in school board elections.
  - (b) Documentation of any change to a school district's boundaries shall be reported to the county clerk within sixty (60) days of the change, or immediately if the change is within sixty (60) days of the August 1 deadline established in KRS 160.210(4)(d).
- (3) Each county clerk shall code all registered voters in that county in such a manner that precinct election officers may determine the voter's eligibility to vote in city and school board elections prior to each primary and regular election for city officers in that county, each regular election for school board members in that county, and each special election in which a ballot question is presented to the residents of a city or a school board district.
- (4) Notwithstanding KRS 64.012, the county clerk shall not charge a fee to a city or school district providing any information required by subsections (1)(a) and (2)(a) of this section.
- (5) Nothing in this section shall prohibit a county clerk from requesting additional information from the city, school district board, or any other reliable source to ascertain whether a registered voter resides within a city or a school district boundary.

**Signed by Governor March 18, 2021.**