1 AN ACT relating to annexation and declaring an emergency.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 81A IS CREATED TO

4 READ AS FOLLOWS:

5 *(1) When a city annexes or proposes to annex any territory, any person who pursues*

6 *litigation against the annexation shall have standing in a court of law to do so if*

7 *that person:*

8 *(a) Owns property within the territory that is being annexed or has been*

9 *annexed by a city; or*

10 *(b) Owns property, is a registered voter, or otherwise resides within a county*

11 *election precinct contained either wholly or partially within the territory*

12 *subject to the annexation.*

13 *(2) (a) Any litigation arising from the authority granted by this section shall be*

14 *subject to the applicable statutory limitations on civil actions contained in*

15 *KRS Chapter 413 or any other applicable law.*

16 *(b) Notwithstanding paragraph (a) of this subsection, for causes of action*

17 *accruing before the effective date of this Act, but on or after January 1,*

18 *2004, the applicable statutory limitations on civil actions contained in KRS*

19 *Chapter 413 or any other applicable law shall begin to run on the effective*

20 *date of this Act.*

21 *(3) The authority granted by this section shall be construed to be in addition to any*

22 *standing to pursue litigation existing in statute, common law, or the Rules of*

23 *Civil Procedure.*

24 *(4) This section shall be retroactive to January 1, 2004.*

25 ➔Section 2. Whereas Kentucky cities are lawfully empowered to commence

26 annexation actions at any time, and the General Assembly desires to cloak the property

27 owners and citizens of the Commonwealth in the protection of redress in the courts of the

1   Commonwealth at the earliest time possible, an emergency is declared to exist, and this

2   Act takes effect upon its passage and approval by the Governor or upon its otherwise

3   becoming a law.