

1 AN ACT relating to municipal annexation.

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 in which no person is*
6 *residing, any person who pursues litigation against the annexation shall have*
7 *standing in a court of law to do so if that person:*

8 *(a) Owns property within the area that is proposed to be annexed or that has*
9 *been annexed by a city; or*

10 *(b) Owns property directly adjoining a parcel of land that contains either in*
11 *whole or in part any territory proposed to be annexed or annexed by the*
12 *city. For the purposes of this paragraph "parcel" means a tract of real*
13 *property that is accessed as a single unit for purposes of determining ad*
14 *valorem tax liability.*

15 *(2) If an election on annexation held pursuant to KRS 81A.420 is defeated, a city*
16 *government that proposed the annexation shall have standing to contest the*
17 *results of the election for the reasons and in a manner established in KRS*
18 *120.250.*

19 *(3) The authority granted by this section shall be construed to be in addition to any*
20 *standing to pursue litigation existing in statute, common law, or the rules of city*
21 *procedure.*

22 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 81A IS CREATED TO
23 READ AS FOLLOWS:

24 *Any area annexed by a city pursuant to this chapter shall be conclusively deemed to be*
25 *validly annexed if no person has contested the annexation in a court of competent*
26 *jurisdiction within two (2) years following the effective date of the ordinance finally*
27 *annexing the territory into the city.*

1 ➔Section 3. KRS 65.012 is amended to read as follows:

- 2 (1) All referendum petitions permitted by general law in KRS Chapters 65, 67, 67A,
3 67C, 68, 76, 81, 81A, 83A, 96, 96A, 97, 98, 99, 107, 108, 109, 132, 147, 157, 160,
4 162, 165, 173, 178, 183, 212, 230, 242, 243, 244, 262, 269, 424, and 436 and any
5 referendum petitions permitted by other KRS chapters in accordance with Sections
6 60 and 171 of the Constitution of Kentucky shall include the:
- 7 (a) Printed name of the petitioner;
- 8 (b) Signature of the petitioner, or if the petitioner is a business or other
9 organization, the signature of the legal representative of the business or
10 organization;
- 11 (c) Year of birth of the petitioner if the petitioner is an individual other than a
12 business or other organization;
- 13 (d) Residential address of the petitioner, or if the petitioner is a business or other
14 organization, the address of the physical location of the business or
15 organization that authorizes it to be a petitioner and, if different, the
16 address of its headquarters; and
- 17 (e) Date that the petitioner signed the petition.
- 18 (2) Unless otherwise explicitly provided under the applicable law governing the
19 petition, to be eligible to sign any referendum petition described in this section, a
20 petitioner~~[person]~~ shall:
- 21 (a) Live in the district or jurisdiction that will be affected by the referendum or if
22 the petitioner is a business or other organization, have a physical address
23 within the district or jurisdiction that will be affected by the referendum;
24 and
- 25 (b) Be a registered voter if the petitioner is an individual other than a business
26 or other organization.