



## CITY OF HALSTEAD

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Date: March 10, 2023  
To: Chairman Tarwater and House Commerce, Labor, and Economic Development Committee Members  
From: Ethan Reimer, City Manager

**Re: Written Testimony in Opposition to HB 2447**

Chair Tarwater and Committee Members, thank you for the opportunity to testify in opposition to HB 2447 on behalf of the City of Halstead, its Governing Body, and the constituents we serve.

Since 1961, Kansas cities have enjoyed constitutional home rule. HB 2447, as presented, seems to be in direct conflict with home rule as it would preempt cities from prohibiting the sale of any product or service that is permitted under state law. HB 2447 would greatly reduce our city's ability to regulate local business or exercise and fulfill our duty to protect the health, safety, and welfare of the constituents we serve.

An example of how HB 2447 might have unintended consequences relates to the regulation of the sale of fireworks. State law currently allows the sale of fireworks from June 27 to July 5 during the year but in Halstead we restrict sales to July 2-4 through local ordinance and home rule. When the state changed the state law, Halstead engaged with our residents to see if they wished to enact any changes and overwhelmingly the community indicated that they did not wish to see fireworks sold or discharged for an extended period of time. HB 2447 would seem to indicate that we could not prohibit someone from selling fireworks beyond the dates found in our local ordinance as it would be contrary to what state law allows.

HB 2447 is too broad and vague, and the only mention of a city's ability to regulate any sort of sales or business activity relies on the business being licensed to operate within the city. The City of Halstead is a small community with limited staff and historically has not required businesses to license within the city to operate. HB 2447 will just result in Halstead creating more burden on our local business community and potential entrepreneurs by trying to enact and enforce business registration and licensing in order to try and preserve some sort of home rule protection. HB 2447 would severely limit a local government's ability to be responsive to their residents in terms of services or goods they wish to see offered or not offered in their community for sale from fireworks to various chemicals to adult/erotic materials to exotic animals just to name a few things that state law allows sale of but in some way is regulated in Halstead.

For these reasons, the City of Halstead requests you to Vote No and not to pass HB 2447 out of committee.

Respectfully submitted,

Ethan Reimer, City Manager