SESSION OF 2026

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2416

As Amended by Senate Committee on Transportation

Brief*

HB 2416, as amended, would provide immunity from liability in any civil action based on nuisance, taking, or similar legal theories for a racing facility or racetrack (racetrack) if the racetrack was located and established before the owner of surrounding property acquired or constructed improvements on the property. Provisions of the bill would become the Kansas Motorsports Venue Protection Act.

The immunity would not apply to:

- A civil action alleging a material violation of applicable state or local laws or a condition prohibited by a valid permit governing the racetrack; or
- A civil action brought by an owner of surrounding property against a racetrack that has not conducted a competitive race during the four years immediately preceding the date when the owner of the surrounding property purchased or otherwise acquired that real property.

The bill would state the provisions could not be construed to affect any civil action unrelated to nuisance, taking, or similar legal theories, or to limit the enforcement authority of the State or any political subdivision for violations unrelated to nuisance, taking, or similar legal theories.

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*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at https://klrd.gov/

The bill would include a severability provision.

The bill would define “racetrack” as a designated area or facility where competitive races are conducted, including the track, spectator areas, garages, and associated grounds or buildings. The bill would define a “surrounding property owner” as a natural person or entity owning real property within a five-mile radius of the racetrack.

Background

The bill was introduced by Representative Delperdang.

House Committee on Transportation

In the House Committee hearing, Representative Delperdang and representatives of 81 Speedway and Humboldt Speedway, ABATE of Kansas, Franz Racing, the Kansas International Dragway, and the Specialty Equipment Market Association provided **proponent** testimony. They requested the proposed immunity from lawsuits, noting increased residential development in areas surrounding racetracks that had been far from such development when the facilities were established. They stated many motorsports facilities across the country have shut down for reasons including lawsuits regarding stimuli nuisance. They cited economic benefits of the facilities and noted similar laws in Iowa and North Carolina.

No other testimony was provided.

The House Committee amended the bill to:

- Add that the liability protection would not apply to a racetrack that has not conducted a competitive vehicle or motorsport race during the four years immediately preceding the date the property owner acquired the real property;

- Add to the definition of a “surrounding property owner” that the property be within a five-mile radius of the racetrack; and

- Change the effective date of the bill to be upon publication in the *Kansas Register*.

Senate Committee on Transportation

In the Senate Committee hearing, Representative Delperdang, a representative of Kansas International Dragway, and a representative of the Specialty Equipment Market Association provided **proponent** testimony. Proponents generally stated that developments are being built closer and closer to long-established racetracks and it is reasonable and rational to know that such tracks produce noise. Proponents also stated that motorsports in Kansas have a significant positive economic impact.

Written-only proponent testimony was provided by a representative of 81 Speedway and Humboldt Speedway.

No other testimony was provided.

The Senate Committee amended the bill to change the effective date from publication in the *Kansas Register* to publication in the statute book.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill as introduced:

- The Office of Judicial Administration indicates the bill’s enactment would have a negligible fiscal effect on the operations of the Judicial Branch;

- The Kansas Association of Counties indicates the bill could have a fiscal effect on Kansas counties but it cannot estimate that effect; and
- The League of Kansas Municipalities states enactment of the bill would not have a fiscal effect on Kansas cities.

Racetrack; racing; motorsports; liability; nuisance