SESSION OF 2026

SUPPLEMENTAL NOTE ON SENATE BILL NO. 415

As Amended by Senate Committee of the Whole

Brief*

SB 415, as amended, would make certain violations of the Residential Landlord and Tenant Act (RLTA) subject to the remedies and enforcement provisions of the Kansas Consumer Protection Act (KCPA).

The bill would amend the RLTA to provide that a violation of the act involving intentional action or a failure to act by a landlord that results in a dwelling unit being deemed uninhabitable by a governmental agency responsible for enforcement of a building, housing, or fire code would be subject to the remedies and enforcement provisions of the KCPA.

The bill would provide that only the Attorney General, the Attorney General's designee, or a county or district attorney could bring a civil action alleging a violation of the KCPA.

For purposes of the bill, "failure to act" would mean the absence of reasonable corrective action to address a condition that materially affects the health and safety of the tenant after actual or constructive notice and reasonable opportunity to cure.

The bill would provide that, for purposes of the remedies and penalties provided by the KCPA, the landlord would be deemed the supplier, the tenant would be deemed the consumer, and proof of a consumer transaction would not be required.

---

*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 provisions of the bill would be a part of and supplemental to the RLTA and any remedies provided by the bill would be in addition to others already provided by the RLTA.

The provisions of the bill would not apply if the tenant caused or materially contributed to the condition causing the dwelling unit to be deemed uninhabitable.

Background

The bill was introduced by Senator Shane.

Senate Committee on Judiciary

In the Senate Committee hearing, Senator Shane; representatives of the City of Emporia, Johnson County, Kansas Action for Children, Kansas Holistic Defenders, Kansas Statewide Homeless Coalition, United Community Services of Johnson County, and Washburn Law Clinic; and a private citizen provided **proponent** testimony. Proponents generally stated the bill would help Kansas renters, especially children and families, by making their housing situations more stable. Proponents also stated the bill would close a loophole in landlord-tenant law, making the law more fair and enforceable.

Written-only proponent testimony was provided by representatives of the City of Topeka, Habitat for Humanity Kansas, and the Office of the Attorney General (OAG), and by a private citizen.

Opponent testimony was provided by representatives of The Associated Landlords of Kansas and Kansas Manufactured Housing Association. Opponents generally stated the bill would replace a fair and balanced approach to rental housing with a heavy-handed method that will hurt the

supply of affordable housing. Opponents also suggested an interim committee study during the summer.

No other testimony was provided.

The Senate Committee amended the bill to:

- Clarify that "uninhabitable" is determined under the bill as an intentional action or a failure to act by a landlord that results in a dwelling unit being deemed uninhabitable by governmental agencies responsible for enforcement of building, housing, or fire codes;
- Clarify that if the tenant caused or materially contributed to the condition causing the dwelling unit to be deemed uninhabitable, these provisions would not apply; and
- Define "failure to act" for purposes of the bill.

Senate Committee of the Whole

The Senate Committee of the Whole amended the bill to provide that only the Attorney General, the Attorney General's designee, or a county or district attorney could bring a civil action alleging a violation of the KCPA pursuant to the bill.

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 enactment of the bill would increase the time spent by district court personnel in processing, researching, and hearing cases, and would not have a fiscal effect on the Office's revenues but may result in increased fees deposited into the State General Fund (SGF).

The OAG indicates enactment of the bill would require 2.0 new positions at a cost of $206,385 from the SGF in FY 2027. That would include $133,905 for an Assistant Attorney General position, $60,839 for an Investigator position, and $11,641 for related operating expenses. For FY 2028, the agency estimates $212,577 from the SGF.

The Kansas Association of Counties could not determine a precise fiscal effect of enactment of the bill.

The League of Kansas Municipalities indicates the bill would have no fiscal effect on cities.

Any fiscal effect associated with the bill is not reflected in *The FY 2027 Governor's Budget Report*.

Judiciary; Residential Landlord Tenant Act; Kansas Consumer Protection Act; uninhabitable; remedies; penalties