{As Amended by Senate Committee of the Whole}

As Amended by Senate Committee

Session of 2026

SENATE BILL No. 415

By Senator Shane

1-28

AN ACT concerning the residential landlord and tenant act; relating to remedies and penalties under the act; providing that violations of the act ~~involving action or inaction by a landlord that causes~~ ***resulting in*** a dwelling unit ~~to be considered~~ ***being deemed*** uninhabitable ***by a governmental agency*** shall be subject to the remedies and enforcement provisions of the Kansas consumer protection act.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a)***{(1)}*** Any violation of the residential landlord and tenant act involving an ~~action or inaction by a landlord that causes a dwelling unit to be considered uninhabitable~~ ***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*** shall be subject to the remedies and enforcement provisions of the Kansas consumer protection act***{, except as provided in paragraph (2)}***.

{(2) Notwithstanding any provision of the Kansas consumer protection act to the contrary, only the attorney general, the attorney general's designee or a county or district attorney may bring a civil action alleging a violation of the Kansas consumer protection act pursuant to this section. This section shall not be construed as creating or allowing a private right of action under K.S.A. 50-634, and amendments thereto.}

(b) For the purposes of the remedies and penalties provided by the Kansas consumer protection act:

(1) The landlord shall be deemed the supplier, and the tenant shall be deemed the consumer; and

(2) proof of a consumer transaction shall not be required.

(c) ***The provisions of this section shall not apply if the tenant caused or materially contributed to the condition causing the dwelling unit to be deemed uninhabitable.***

(d) The remedies provided by this section are in addition to any other remedies provided by this act.

(e) As used in this section, "failure to act" means 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.

~~(d)~~***(f)*** This section shall be a part of and supplemental to the residential landlord and tenant act.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.