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MEMORANDUM

To: Members of the Senate Committee on Transportation

From: Office of Revisor of Statutes

Date: February 26, 2026

Subject: House Bill No. 2416 (As Amended by House Committee)

Summary

House Bill No. 2416 creates the Kansas Motorsports Venue Protection Act to provide immunity to motorsports venues from civil actions for nuisance, taking or similar legal theories.

Subsection (b) provides that a racing facility or racetrack shall be immune from liability in any civil action that is based on nuisance, taking or similar legal theories if the racing facility or racetrack was located and established in Kansas before a surrounding property owner either purchased or acquired property surrounding the racing facility or racetrack or constructed improvements on such property. Subsection (f) provides definitions for "racing facility" or "racetrack" and "surrounding property owner."

Subsection (c) provides that this general immunity from liability does not apply to a civil action alleging a material violation of applicable state or local laws or a condition expressly prohibited by a valid permit governing the facility or racetrack. Amendments to subsection (c) exclude from immunity those actions brought by a surrounding property owner against a racing facility or racetrack that has not conducted a competitive vehicle or motorsport race during the four years immediately preceding the date when such surrounding property owner purchased or otherwise acquired such surrounding property owner's real property.

Subsection (d) provides that this new section shall not be construed to affect any other civil action unrelated to nuisance, taking or similar legal theories or to limit the enforcement authority of the state or any political subdivision of the state for violations of state or local law unrelated to claims for nuisance, taking or similar legal theories.

Subsection (e) provides for a clause for the new provisions in this section allowing other provisions to remain unaffected if they can still be applied if any provision is held to be invalid.

If enacted, the bill would become effective on publication in the Kansas register.