

## HOUSE BILL No. 2133

By Committee on Insurance

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9 AN ACT concerning certain restrictive covenants.

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

12 Section 1. (a) On and after the effective date of this act, any provision  
13 of a restrictive covenant which requires the use of wood shingles or wood  
14 shakes as a roof covering material for any residential dwelling is hereby  
15 declared to be against public policy and such provision shall be void and  
16 unenforceable unless such covenant also allows for the use of an alter-  
17 native material which is comparable in appearance, flame resistant or  
18 retardant, and meets or exceeds any fire prevention standards established  
19 by any municipal building code which has been adopted as required by  
20 law applicable to such residential dwelling.

21 (b) The provisions of this section shall apply to any restrictive cove-  
22 nant in existence on the effective date of this act.

23 (c) The provisions of this section shall not affect the enforceability of  
24 a restrictive covenant which regulates or restricts the color, style, dimen-  
25 sion or other aesthetic characteristics of roofing material to be used on a  
26 residential dwelling if such restrictive covenant meets the requirements  
27 of subsection (a).

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