



March 10, 2023

The Honorable Sean Tarwater, Chair
Members of the House Committee on Commerce, Labor and Economic Development
300 SW 10th Street
Topeka, Kansas 66612

RE: Testimony in OPPOSITION to HB 2447

Chairman Tarwater and Committee Members,

Thank you for the opportunity to submit testimony regarding HB 2447. The City opposes the bill.

Cities in Kansas were granted constitutional home rule authority by voters in 1960. The provisions of HB 2447 run directly contrary to the very concept of home rule and local control. The Lenexa Governing Body is elected to handle local issues and are best equipped to determine the appropriate level of regulation necessary for the community.

HB 2447 is so broad that it would severely limit our ability to be responsive to the concerns and desires of our constituents by enacting regulations to protect the public health, safety, and welfare. For example, HB 2447 restricts the City's ability to regulate the use of property through its planning and zoning regulations. Planning and zoning laws provide a sense of predictability to existing and future property owners that the land will be developed properly. These laws also protect property owners from adjacent land uses that may cause them harm.

One such zoning regulation in Lenexa is a provision by which adult entertainment establishments cannot locate within 2,000 feet of residential property, school, park, or place of worship. HB 2447 would preempt the City from enforcing this prohibition so long as the business is otherwise licensed in the City. Lenexa has similar location restrictions on the sale of alcohol, bars, nightclubs, and other uses that may cause harm to surrounding property owners all of which will be preempted by HB 2447. As you can see, the effects of HB 2447 are far reaching and potentially damaging to our community.

For these reasons, the City opposes HB 2447 and appreciates your consideration and urges the Committee to reject this bill.

Respectfully,

A handwritten signature in black ink, appearing to read "Mike Boehm", with a long horizontal flourish extending to the right.

CITY OF LENEXA
Mike Boehm, Mayor

cc: Lenexa City Council
Beccy Yocham, City Manager