

HB2376 Prohibiting the recording of any restrictive covenant that violates the Kansas act against discrimination and authorizing the removal of such covenants from existing documents

Opposition Testimony – Written

Stacey Knoell, Executive Director, Kansas African American Affairs Commission

To Chairman Bergquist and members of the Committee:

I am writing in opposition to this bill for two reasons: first, this is an example of the state preempting local control and second, the spirit in which this bill was conceived was to dismantle the protections recently won by the LGBTQ population. The African American Affairs Commission is not unanimous in opposing this bill.

Who will this bill protect? Who will this bill help? The only parties protected or helped would be those who seek to discriminate against another group. If/when a municipality has passed an ordinance protecting its inhabitants from discrimination on any basis, it is not the role of the state to come in and nullify those protections.

This body talks often about economics and workforce issues. Many elected officials talk about the need to attract and retain workers or wonder how to keep our young people from leaving the state at the first chance. Then the same body seeks to turn and vote to uphold discriminatory practices that only exist to run off and keep out segments of the wider population. While it is clear that this bill is retaliation against the gains won by the LGBTQ population, consider other groups who are or could be protected by local ordinances: military status or age or marital/family status (in employment and public accommodations), or criminal history, or credit history, or rental history. There are local ordinances that go beyond the state statute to protect the people living in their community. Additionally, local ordinances were passed by democratically elected officials in response to the needs of the constituents they serve. This bill would undermine the sense of belonging that local communities have sought to create.

Many are not aware of the ugly history of restrictive covenants in housing. Often such practices were enacted for the sole purpose of excluding African Americans from renting in certain neighborhoods. This practice was known as “redlining” and the impact is still felt today. The idea that any municipality would be explicitly restricted from enacting any protections for a segment of its community is legislative overreach and meanspirited.

Please do not support this bill. It is wrong for our communities. It is wrong for our future. It is wrong for Kansas.