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**Testimony by Rabbi Moti Rieber, Executive Director  
In Opposition to HB2376, Restrictive Covenants  
House Committee on Local Government  
February 15, 2022**

Mr. Chair, members of the committee:

Thank you for the opportunity to provide testimony today. My name is Rabbi Moti Rieber, and I am the Executive Director of Kansas Interfaith Action, a statewide, multi-faith issue-advocacy organization that “puts faith into action” by educating, engaging and advocating on behalf of people of faith and the public regarding critical racial, economic and climate justice issues. We are the advocacy partner of several of the mainline denominations in Kansas, as well as of Jewish and Muslim individuals and faith communities. I stand in opposition to HB2376.

Restrictive covenants still exist on many residential properties in Kansas, particularly in Johnson County. These are a remnant of America’s racial past, of redlining and residential segregation. In Johnson County these covenants banned primarily African Americans and Jews. The history of the Jewish community in Kansas is a history of overcoming these obstacles. These covenants are not enforceable because federal law prohibits discrimination, but they remain on thousands of property deeds, a reminder of the racism and antisemitism that is a part of Kansas’ not-too-distant past. I am aware of efforts led by certain Johnson County representatives, including Rep. Rui Xu, to pass legislation removing these covenants. This is long overdue.

And if that were what this legislation did, I would happily support it. But in HB2376 this reasonable and long-overdue measure is a trojan horse for the preemption of nondiscrimination ordinances throughout the state, aimed at taking away hard-won rights from Kansans who are members of the LGBT community.

This legislature has for years failed to pass nondiscrimination legislation on behalf of LGBT Kansans. Any LGBT person can be discriminated against in housing, employment, or medical care – for any reason, basically due to the prejudices of the people involved. In response to the legislature’s failure to right this wrong, throughout the state Kansans have petitioned their municipalities to pass local ordinances. Several of these have been passed, including throughout Johnson County, in Wichita, and in other cities throughout the state. I testified on behalf of the NDO in Overland Park, and I support and applaud these measures as a significant movement toward justice.

It is this work that this bill is designed to undermine. The cynicism of using an important antidiscriminatory measure as a cloak to undermine nondiscrimination ordinances throughout the state should not be lost on anyone.

As you probably know, there have been a large number of anti-LGBT bills being heard in different committees this week. I have spent quite a bit of time collecting and submitting testimony from faith leaders throughout the state. I do this because the denominations that make up Kansas Interfaith Action are steadfast and determined in supporting the rights of LGBT people. This is a huge priority for them, and that’s why I’m here – I’m

responding to the demands of my coalition, who demand that we stand strong against any bills that would take away any rights from LGBT folks.

Members of the Committee, the restrictions that still exist need to be removed from covenants throughout the state. This would be an important corrective to a historical wrong, one that lingers in property transactions to the present day. But it does not need the poison pill of removing hard-earned local legal protections for LGBT Kansans. Remove this and I would be happy to support this bill. As long as it is included, however, I urge you to vote down HB 2377.

Thank you for your attention.