



CITY OF TOPEKA

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To: House Committee on Welfare Reform

From: Amanda Stanley, City Attorney on behalf of the City of Topeka

Date: March 2, 2023

Re: Neutral testimony on HB 2430

I would like to thank Chairman Averkamp and the Committee for allowing the City of Topeka the opportunity to testify today concerning HB 2430.

HB 2430 would allow the Attorney General to sue a city for not enforcing a city camping ordinance. The City of Topeka does, and has every intention of continuing to, enforce our local ordinances regarding camping. In 2019, a fire started in a homeless camp spread to the Kansas Avenue Bridge and cost the City approximately \$878,000 to repair. Since then, the City established its current camping ordinances and City resources are regularly spent enforcing the ordinances due to public safety necessity. While we are not concerned about being seen as not enforcing our ordinance, this bill seems to blur the responsibilities of different units of government. A city ordinance is constructed address issues in ways that are most feasible to that community. It seems counter-intuitive that a city would need the state to intervene to make that city enforce the very laws it developed and adopted for itself.

Another provision in this legislation appears to ban state funding to the city to deal with unsheltered populations if the state agency does not feel like the city is doing enough to enforce its ordinance(s) and the city's unsheltered population exceeds the state average. The nature of our community is going to cause us to have more unsheltered individuals. We are one of the largest cities in Kansas but we also have a history intertwined with the State that has led to a larger problem. Recently the Topeka Capital-Journal ran a story titled "Topeka's homelessness problem reaching an 'all-time crisis.' Here's how we got there." The article discusses how the majority of Topeka's unsheltered population have substance abuse and / or mental illness. The article goes on to discuss how Topeka was known in the 1960s and 1970s as a national leader in mental health services with the Topeka State Hospital and Menninger's. Unfortunately, following lawsuits in the 1970s, the State changed its model of care and finally closed its State Hospital in 1997 putting its remaining residents on the streets of Topeka. Menninger's followed by moving its operations to Houston in 2003. To quote the article "those resources left the city, and the people stayed." Our community has stepped up and we are actively working to find solutions. However, we are concerned state agencies could slow down funding or artificially stop funding based on subjective standards. With our homelessness initiative ramping up, this bill could do more harm than good, even if that is not the intention. There is a need for the State to provide additional funding and assistance to cities, not less, in order to address the underlying needs and causes of increasing numbers of unsheltered citizens.

I thank you for your consideration in this matter.