

# LOUD LIGHT CIVIC ACTION

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Written Opponent Testimony of SB 446  
For the Senate Federal and State Affairs Committee

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Chair Thompson and members of the Committee,

Thank you so much for the opportunity to provide testimony today. My name is Melissa Stiehler, and I serve as Advocacy Director of Loud Light Civic Action, a Kansas based, nonpartisan, nonprofit organization that supports and builds the civic engagement and leadership of young people in our state. Because this bill is written so broadly and the legislature has continued to fail to successfully moderate itself on restricting civil rights, we strongly oppose SB 446 as written.

The Kansas legislature has a history of being overly generous to bills where proponents claim to solve a problem that may be of legitimate interest to the state, but are so poorly written that the consequences on Kansans civil rights and freedoms are extreme. Some recent examples of this can be found in laws ruled unconstitutional such as requiring mandatory healthcare disinformation (*Hodes & Nauser v. Kobach*) and proof of citizenship requirements to register to vote (*Fish v. Kobach*). The violation of Kansans rights caused by passing overly broad laws like this, and the litigation and the costs associated with them that follow, are preventable when the Legislature takes its responsibility to uphold Kansans' rights seriously and engages in a critical examination of the bill language to look for potential for abuse before passing it out of committee.

If you read through the language in SB 446, you will see that there are essentially no restrictions or directions in relation to the policies and procedures for the state land council in how they determine who is eligible for exemption. This is an irresponsible and dangerous thing to do. Kansas, along with the rest of the United States, has a long and complicated history with who is eligible for citizenship and who is able to access the freedom of owning their own land. We strongly urge you to learn from our history, including laws covering this same topic that have been struck down as unconstitutional, and draft any restrictions on the right to own property based on citizenship in the most clear and narrow framing as possible. SB 446 does not do this. We encourage the committee to reject this bill and seek to find

solutions to housing market stability and land security with much more specific bill language to ensure the civil rights and discriminatory impacts are limited.

Lastly, we again call on the Legislature to operate in a means that is realistically accessible to the constituents you serve. SB 446 was scheduled for a hearing on its day of introduction, before the bill was even referred to this committee, with less than 2 business days before testimony is due. Unless you are signed up for the committee email list, there has currently been no means of notification to the public as of Sunday, February 4th. Experts on non-citizen land ownership, the Kansas housing market, national security, businesses impacted by this legislation, and your constituents should have a meaningful opportunity to learn that this hearing is happening and offer testimony, the only means of recorded public comment. Governing should not happen at breakneck speed, hidden from the public by rules and regulations the legislature sets for itself. It should be intentional, deliberate, and careful. It should take time, research, and public involvement.

Year after year, Kansans increasingly see laws that impact our rights passed through a legislative process that no longer centers the constituents you serve. We see it in last minute changes to the committee agenda, bill hearings scheduled with essentially no opportunity for public notice, portions of laws not even heard in a committee hearing through “gut and go” and an exploited conference committee process. To say the least, this is not good governance. As an organization whose purpose is to teach young constituents about the legislative process and encourage their involvement in civic life, it brings me shame to have to explain the short cuts our legislative body takes in passing laws that impact them. I write this with hope that the legislature changes course and returns to a way of governing that embraces public involvement. When bills move through the full legislative process, including reasonable notice for an accessible committee hearing, legislators are better able to cast their vote with a full understanding of the impact of those laws.

In summary, the impact of SB 446 could be vast and the broad language of this bill creates a legal environment that is ripe for discrimination and exploitation of the people of our state. While I’m sure my fellow opponent conferees will raise a number of concerns with this bill, I am confident that there are many constituents unable to have their voices heard because of the lack of public notice for this bill hearing. I urge the committee to reject SB 446 to take those concerns into account. Thank you for your time and I hope you take my testimony into consideration.