



January 22, 2026

## Testimony in Opposition to House Bill 2451 House Elections Committee

Chairman Proctor and Members of the House Elections Committee:

The Northeast Johnson County Cities of Mission, Merriam, Prairie Village, Roeland Park, and Westwood Hills oppose HB 2451. We appreciate the opportunity to provide testimony on HB 2451, which prohibits the use of local assets in support or opposition of state constitutional questions or state or local ballot initiatives. In short, HB 2451 infringes on local decision-making on questions of importance for municipalities and their citizens and unnecessarily attempts to restrain the content of information made available to the public.

Current law restricts engagement regarding the “...nomination, election or defeat of a clearly identified candidate to state or local office.” The new language is much broader, targeting any effort “*to promote or oppose the adoption or repeal of any provisions of the Constitution*” or any state or local ballot question.

From the cities’ perspective, Sec. 1 (f) of the bill contends there is a need for rules on municipalities’ engagement to “promote or oppose” state or local questions in a “neutral manner” and “neutral information,” but only on the official government website. The bill’s use of “neutral” is abstract and ripe for contest, conflict, and litigation.

The second section restricts the ability to “conduct or authorize” mass communications via “flyers, physical signage and statements posted on social media.” Again, this language asserts that only production of these mediums is restricted and is devoid of definitions of unacceptable or acceptable positions or language.

These two components of the bill result in ambiguity and increase the likelihood for misinterpretation. As it relates to local questions, the elected officials of that unit of government by necessity are responsible for explaining, detailing, and presenting a proposed ballot question. “Neutrality” itself is inherently debatable because the law requires the local government officials to take a vote to place an issue on the ballot. Is a levy for a new courthouse not described by its benefits, efficiencies, and contribution to the operation of local government? Similarly, is the renewal of a sales tax dedicated to street and road improvements not described through the process of identifying and quantifying specific needs? Could these descriptions be rebutted by potential critics who argue the language is “not neutral”?

We support our elected leadership and administration’s capacity to truthfully and accurately explain ballot questions. We trust our communities’ capacity to thoughtfully

consider and respond to ballot questions based on identified needs for new water treatment facilities, parks, streets, or other resources critical to the provision of quality local government services. An accurate and detailed description of a project and its benefits is not propaganda or partisan.

We oppose the imposition of the limitations in House Bill 2451 as unnecessary and subjective. In the absence of a deep and obvious legacy of municipalities' misuse of the process, we do not believe the need for change exists, and thus respectfully request the Committee oppose this bill.

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