

To: House Federal and State Affairs Committee
From: Spencer Duncan, Government Affairs Director
Date: February 5, 2026
RE: HB 2504 – Landlord/Tenant Income Preemption
Opponent – Verbal Testimony

Thank you for the opportunity to provide testimony on behalf of the League of Kansas Municipalities in opposition to HB 2504.

CONSTITUTIONAL HOME RULE

A primary concern with HB 2504 is that it represents a significant example of state preemption directly encroaching on Constitutional Home Rule authority granted to cities under Article 12, Section 5 of the Kansas Constitution. In particular, the League's chief concerns are with **Section 1(a)(1), lines 16 through 20**, which broadly prohibit cities from adopting or enforcing certain local rental housing ordinances.

Kansas has long recognized that cities are best positioned to address local issues based on local conditions, community values, and housing market realities. HB 2504 removes that local discretion by imposing a one-size-fits-all state standard, regardless of whether local policies were developed through thoughtful, community-driven processes.

When the Legislature considers preemption of local authority it should do so using the strictest possible standard. Preemption should be reserved for circumstances where there is unmistakable evidence of a widespread, systemic problem or a demonstrated statewide need that cannot be effectively addressed at the local level. In the absence of a documented trend or significant harm affecting cities across Kansas, broad preemption risks unnecessarily overriding local decision-making and undermining the constitutional balance between state and local government. Without clear proof that local actions are creating substantial statewide consequences, legislation of this nature sets a concerning precedent for encroaching on Home Rule where targeted, case-specific solutions or continued dialogue would be more appropriate.

HOUSING MARKET CHALLENGES

HB 2504 limits cities' ability to respond to local housing challenges. Housing markets vary across Kansas, and cities use targeted, carefully tailored policies as part of broader housing

strategies that may include affordability initiatives, redevelopment efforts, or neighborhood stabilization goals. By categorically prohibiting specific local tools, the bill restricts cities' flexibility to address issues that are inherently local in nature.

ASSISTANCE SHOULD NOT BE A DISQUALIFER

The League is concerned with the practical impact of treating government assistance as an automatic disqualifier for housing. Government assistance is income. For many families, it represents a stable and lawful source of payment that allows them to meet their housing obligations. Using the source of income alone as a basis for denial can create unnecessary barriers for otherwise qualified individuals and families who are simply trying to secure safe and stable housing. The source of a person's income is not an indication of their character, reliability, or behavior as a tenant, and all other applicable laws, screening criteria, and lease requirements continue to apply. Cities that have explored these issues have done so in an effort to reduce artificial barriers to housing while still respecting landlords' rights to enforce reasonable standards.

NOT A STATEWIDE TREND

The League appreciates the Legislature's concerns regarding housing policy and regulatory consistency. However, the circumstances prompting this legislation appear to be isolated to the actions of a single city and do not reflect a broader statewide trend among municipalities. Cities across Kansas have not widely adopted the types of ordinances addressed in this bill, nor is there evidence that such policies are proliferating in a way that justify broad statewide preemption.

The League respectfully opposes HB 2504 and encourages continued dialogue between cities, legislators, and stakeholders to address housing concerns in a manner that preserves local control and respects Kansas's constitutional commitment to home rule.

Thank you for your consideration.



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