



March 17, 2025

Dustin Hare, Economic Security Policy Advisor  
Kansas Action for Children  
Written-only Opponent Testimony on HB 2378  
Senate Committee on Judiciary

Chairwoman Warren and members of the Committee:

Thank you for the opportunity to provide testimony in opposition to HB 2378, which would establish the Removal of Squatters Act. **We oppose HB 2378 because it would completely remove due process regarding evictions and allow landlords to exploit a loophole to tip the scales against tenants, both authorized and unauthorized.**

Kansas property owners already have the legal tools they need to evict someone from their property. The process provides a court hearing where both parties are given the opportunity to make their case. If the court rules in favor of the landlord, then the court compels the sheriff to proceed with the eviction. The process is quick, as the court is required to hold the hearing within 14 days after the suit is filed.<sup>1</sup>

This bill would allow a landlord to circumvent the entire legal eviction process and, instead, petition a law enforcement agency to remove the tenant. The only piece of information the sheriff is required to verify is that the property is owned by the petitioner. It does not specify a requirement to ensure the tenant is not an authorized guest with a lease agreement. This would allow a landlord to skip the legal eviction process and have a tenant removed without first verifying that they are not authorized to be there.

**We would prefer the current eviction process to remain the policy in Kansas; however, at a minimum, this bill should be amended to require law enforcement agencies to verify whether the persons inhabiting the unit have a lease agreement.**

Section 6 of the bill provides modest recourse for a tenant who was wrongfully removed, but tenants facing eviction almost never have legal representation.<sup>2</sup> It is highly unlikely that a tenant who had been wrongfully removed would be able to afford an attorney and prevail in a court case. **Amending the bill to first ensure the tenants are unauthorized would address this concern.**

---

<sup>1</sup> KSA 61-3805

<sup>2</sup> National Coalition for a Civil Right to Counsel. (2024). *Eviction Representation Statistics for Landlords and Tenants Absent Special Intervention*. [https://civilrighttocounsel.org/uploaded\\_files/280/Landlord\\_and\\_tenant\\_eviction\\_rep\\_stats\\_NCCRC\\_.pdf](https://civilrighttocounsel.org/uploaded_files/280/Landlord_and_tenant_eviction_rep_stats_NCCRC_.pdf)

Lastly, it is likely that more Kansans are being forced to find places to survive when the weather isn't ideal. Those categorized as "unsheltered homeless" have increased 395% in Kansas between 2019<sup>3</sup> and 2024,<sup>4</sup> and little has been done to address this issue. Instead of expediting evictions of Kansans who are struggling much more than in years past, lawmakers should instead be searching for ways to provide more assistance to this population.

Thank you for the opportunity to provide testimony on this topic, and please do not hesitate to contact me at [dustin@kac.org](mailto:dustin@kac.org) if you have additional questions.

---

### ***About Kansas Action for Children***

Kansas Action for Children is a nonprofit advocacy organization working to make Kansas a place where every child has the opportunity to grow up healthy and thrive. We work across the political spectrum to improve the lives of Kansas children through bipartisan advocacy, partnership, and information-sharing on key issues, including early learning and education, health, and economic security for families.

---

<sup>3</sup> U.S. Department of Housing and Urban Development. (September 2019). *HUD 2019 Continuum of Care Homeless Populations and Subpopulations*. [https://files.hudexchange.info/reports/published/CoC\\_PopSub\\_CoC\\_KS-507-2019\\_KS\\_2019.pdf](https://files.hudexchange.info/reports/published/CoC_PopSub_CoC_KS-507-2019_KS_2019.pdf)

<sup>4</sup> Kansas Statewide Homeless Coalition. (2024). *Kansas Point-in-Time Count 2024*. <https://drive.google.com/file/d/1a1J9yuQL82rDgxbMFAGWcMFHneTkSwA8/view>