



March 17, 2025

**Statement of Pacific Legal Foundation before the Senate Judiciary Committee in support of HB 2378,  
*Establishing Removal of Squatters Act***

Chair Warren and members of the Committee:

My name is Kileen Lindgren, and I am Legal Policy Manager at Pacific Legal Foundation. PLF is a nonprofit public interest law firm dedicated to defending Americans' liberties when threatened by government overreach and abuse. Since our founding 50 years ago by members of then-Governor Reagan's staff, we have been helping Americans fight for their constitutional rights in courthouses and legislatures across the country. We have won 18 cases at the United States Supreme Court and helped enact more than three dozen laws in legislatures across the country.

HB 2378 addresses a growing issue: the problem of squatters unlawfully occupying private property and the legal challenges property owners face in reclaiming their homes. Currently, many states lack an effective mechanism to remove squatters, forcing property owners into lengthy and costly eviction proceedings, even when the occupants have no legitimate claim to the property. This places an undue burden on homeowners while enabling bad actors to exploit legal loopholes.

This bill makes crucial reforms to ensure that law enforcement has the authority to remove unlawful occupants swiftly. Specifically, HB 2378:

- Empowers law enforcement to take immediate action when property owners provide reasonable evidence of unlawful occupancy.
- Establishes clear legal distinctions between legitimate tenants and those who falsely claim tenancy to delay removal.
- Helps protect property owners from financial and legal hardships by streamlining the process for reclaiming their property.
- Penalizes false reporting to safeguard against abuse of the removal process.

The right to exclude trespassers is a fundamental component of property rights under the Fifth Amendment. When squatters are allowed to remain in a home simply because of procedural hurdles, it constitutes an unconstitutional taking of property. HB 2378 aligns with constitutional principles by restoring property owners' rights and ensuring the law does not inadvertently protect unlawful occupants at the expense of rightful owners.

Several states have already enacted or are considering similar reforms, recognizing that current laws fail to provide adequate protection for homeowners. Florida, Oklahoma, Tennessee, Missouri, Wyoming, and Arkansas have strengthened their laws to expedite the removal of squatters, and Kansas has the opportunity to do the same by passing HB 2378.

For these reasons, I strongly urge the committee to support HB 2378 and take a stand for property rights. Thank you for your time and consideration. I am happy to provide any additional information or answer questions at your convenience.

Respectfully,

KILEEN LINDGREN  
Legal Policy Manager