

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2116** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, in line 8, before "Section" by inserting "New"; in line 28, before "Sec." by inserting "New";

On page 2, in line 13, before "Sec." by inserting "New"; in line 34, before "Sec." by inserting "New"; following line 36, by inserting:

"Sec. 5. K.S.A. 12-16,138 is hereby amended to read as follows: 12-16,138. (a) Subject to subsection (c), no city or county shall adopt, enforce or maintain a residential property licensing ordinance or resolution—~~which~~ that includes a requirement for periodic interior inspections of privately owned residential property for city or county code violations unless the lawful occupant has consented to such interior inspections. This subsection shall not apply to inspections of mixed-use residential and commercial property. This subsection shall not prohibit a city or county from conducting plan reviews, periodic construction inspections or final occupancy inspections as required by building permits.

(b) Any lawful occupant residing in privately owned residential housing located within the corporate limits of a city may request an inspection at any time by the city or, if the property is located in the unincorporated area of the county, by the county to determine code violations.

(c) (1) By the adoption of an ordinance, the city of Topeka may require periodic property inspections of privately owned residential housing property when the owner of such property is receiving direct public financial assistance for tenant rent. The city shall provide

reasonable notice to the tenants of the date and time of the inspection. The landlord may be required to perform random inspections at the request of the city in response to code violation complaints. If a tenant objects to an inspection, the city shall obtain an administrative search warrant to facilitate the inspection.

(2) As used in this section, "direct public financial assistance" means a financial payment or consideration from the United States department of housing and urban development.

(3) The provisions of this subsection shall expire on July 1, 2030.

Sec. 6. K.S.A. 12-16,138 is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking "to enter into contracts"; in line 3, by striking "such"; also in line 3, after "contracts" by inserting "of certain cities and counties"; in line 5, after "exceptions" by inserting "; authorizing the city of Topeka to conduct code inspections when the property owner receives direct public financial assistance from the United States department of housing and urban development; amending K.S.A. 12-16,138 and repealing the existing section";

And your committee on conference recommends the adoption of this report.

Conferees on part of Senate

Conferees on part of House