

SESSION OF 2026

SUPPLEMENTAL NOTE ON SENATE BILL NO. 391

As Recommended by Senate Committee on
Federal and State Affairs

Brief*

SB 391 would prohibit any city or county from adopting or enforcing any ordinance or resolution that:

- Prohibits landlords from refusing to lease privately owned single-family or multi-unit residential property or commercial property to a person because their source of income to pay rent consists, in whole or in part, of a financial payment or consideration from or through the federal Housing Choice Voucher Program, or any successor program, or any other housing assistance program in which participation by a landlord is voluntary;
- Restricts a landlord's ability to use or consider income-qualifying methods, credit scores, credit reports, eviction history, property damage history, or criminal history or to request such information when done to determine whether to lease a property to a prospective tenant according to such landlord's customarily applied criteria in making such determinations;
- Limits the amount of a security deposit a landlord may require to lease a property to a prospective tenant; or

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

- Requires landlords to grant an automatic right of first refusal to tenants.

The bill would make null and void any ordinance or resolution prohibited by these provisions that was adopted before July 1, 2026.

Background

The bill was introduced by the Senate Committee on Federal and State Affairs at the request of Senator Thompson.

Senate Committee on Federal and State Affairs

In the Senate Committee hearing, **proponent** testimony was provided by representatives of the Associated Landlords of Kansas, Kansas Association of Realtors, and Tower Properties Company. The proponents generally stated the bill would protect private property rights, allow landlords to do reasonable screening of potential tenants, and support voluntary participation in federal housing programs.

Written-only proponent testimony was provided by representatives of the Apartment Association of Kansas City, Kansas Manufactured Housing Association, and Tower Properties Company, and five private citizens.

Written-only **neutral** testimony was provided by a representative of the Coalition to End Homelessness Wichita.

Opponent testimony was provided by representatives of the City of Lawrence, League of Kansas Municipalities, and United Community Services of Johnson County. The opponents generally expressed concerns about preemption, constitutional home rule, preventing cities or counties from passing ordinances or resolutions that protect their communities and renters, and disrupting housing stability in

Lawrence where there is an ordinance preventing source of income discrimination.

Written-only opponent testimony was provided by representatives of the City of Garden City, Habitat for Humanity Kansas, Kansas Action for Children, Kansas Interfaith Action, and Kansas Statewide Homeless Coalition, and five private citizens.

No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Office of Judicial Administration indicates enactment of the bill would not affect expenditures or revenues of the courts.

The Kansas Association of Counties indicates enactment of the bill would not directly affect counties' expenditures or revenues. The League of Kansas Municipalities states enactment of the bill would have no fiscal effect on cities.

Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2027 Governor's Budget Report*.

City; county; landlords; private rental housing; source of income