



# CITY OF TOPEKA

Legal Department  
215 SE 7<sup>th</sup> Street, Room 353  
Topeka, KS 66603

Amanda Stanley, City Attorney  
Tel: (785) 368-3883  
[www.topeka.org](http://www.topeka.org)

To: House Committee on Commerce, Labor, and Economic Development  
From: Amanda Stanley, City Attorney  
Re: HB 2447 Opposition Testimony  
Date: March 13, 2023

Thank you Chairman Tarwater and the Committee for allowing the City of Topeka to submit written testimony in opposition to HB 2447.

On November 8, 1960, the citizens of Kansas voted to add Constitutional Home Rule to the Kansas Constitution. The people empowered cities to determine their local affairs and government. The people determined that home rule was to be liberally construed for the purpose of giving the cities the largest measure of self-government and that field preemption was not to be implied. Cities are the laboratories of innovation for our state. They are free to try out new ideas and respond to their citizens. We have a citizen legislature that meets for five months out a year. It is impossible for the state to take up every evolving concern. In contrast, our Governing Body meets three times a month. They are in the best position to respond to their citizens and evolving fast moving issues as the body closest to our local citizens.

One of the core tenants of home rule is that if the legislature wants to stop a city from acting in a particular area, they need to expressly and specifically state that. This bill attempts through statute to instead put into place broad preemption language to try to negate home rule. This bill is extremely broad and the consequences are far reaching. In the City of Topeka, it would immediately negate our Tobacco-21 ordinance, but also, it would also stifle our ability to respond to our citizens. People are the heart of democracy. Please do not stifle their ability to have a say in their local community due to the possibility that someday a city might prohibit the selling of some unnamed product.

We would ask that you oppose House Bill 2447.