



KANSAS
ASSOCIATION OF
COUNTIES

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House Commerce, Labor and Economic Development Committee
March 13, 2023
HB 2447

Kansas Association of Counties
Opponent Testimony

Chairman Tarwater and members of the Committee:

Thank you for allowing the Kansas Association of Counties to offer testimony in opposition of HB 2447, which would prohibit cities and counties from banning the sale of products or services that are otherwise allowed under Kansas law, consistent with the wishes of their residents.

KAC has long supported legislation provides for local control. HB 2447 does the opposite. Rather than enhancing local control, HB 2447 pre-empts local control by forbidding the regulation of the sale of products and services at the local level.

Let it be clear that the Kansas Association of Counties takes no position on whether a county *should* ban any particular items. That is a decision better left to the locally elected leaders in those areas. If there is a local desire amongst residents to have those items banned, local leaders should be able to do so. If there is not, local leaders do not have to. HB 2447, however, removes that option entirely by allowing the state to pre-empt that decision and eliminate local control.

This legislation is also exceptionally broad. Lines 7 and 8 specifically say “any product or service that is otherwise permitted under state law.” This means that products and services like fireworks, adult oriented businesses, exotic animals, alcohol, tobacco, or other future products or services that are not currently available would be outside the power of county government to prohibit if that was the will of their residents.

KAC opposes this level of pre-emption and therefore opposes HB 2447. KAC would respectfully ask this committee to be a supporter of local control and reject HB 2447. Thank you for your time and consideration.

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