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TO: Chair Tarwater and the House Committee on Commerce, Labor, and Economic Development

FROM: Paul Kramer, City Manager

DATE: February 11, 2025

SUBJECT: Opponent Testimony for HB 2343

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Chair Tarwater and Committee Members,

Thank you for the opportunity to testify in opposition of HB 2343 on behalf of the City of Shawnee.

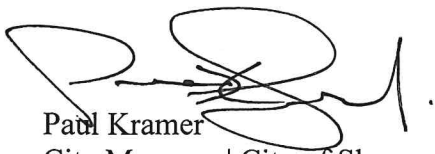
The City of Shawnee opposes efforts to restrict the local government's ability to regulate businesses within City limits. Home-based businesses have the potential to significantly impact the character and peace of Shawnee neighborhoods. The City puts regulations in place to preserve property values within our community and ensure that we preserve the peace by limiting commercial activity within neighborhoods. HB 2343, as written, would impact our ability to conduct business and protect residential neighborhoods. Additionally, this bill has the potential to undermine the purpose and implementation of any zoning regulations that restrict commercial uses in residential, office, and institutional districts.

The terminology of the bill is overly broad, making consistent and efficient enforcement difficult. For example, a "no-impact home-based business" is partly defined as one that does not generate a "substantial increase in traffic through the residential area" although "substantial increase" is not defined. The bill also allows for business activities in parts of a residential yard not seen from the street; however, business operations occurring outdoors can have a substantial negative impact to surrounding property owners due to odor or noise. It appears the bill would not allow local government to restrict such activities except under a narrow set of circumstances.

Further, the City of Shawnee supports the retention of the Kansas' constitutional provision of local home rule authority to allow locally elected officials to conduct the business of their jurisdiction in a manner that best reflects the desires of their constituents and results in maximum benefit to that community. This proposed legislation undermines that constitutional provision.

Based on this testimony, the City of Shawnee respectfully requests that the Committee not advance HB 2343 to the full House for consideration.

I thank you for your consideration on this matter. Sincerely,



Paul Kramer  
City Manager | City of Shawnee