

SESSION OF 2026

**SUPPLEMENTAL NOTE ON SENATE SUBSTITUTE FOR
HOUSE BILL NO. 2111**

As Recommended by Senate Committee on
Agriculture and Natural Resources

Brief*

Senate Sub. for HB 2111 would prohibit a city or county from enforcing any building code, ordinance, or resolution regulating the use of a non-public registered agritourism location. The bill would be a part of and supplemental to the Agritourism Protection Act and make technical amendments.

Enforcement Prohibition

The bill would prohibit a city or county from enforcing certain legal actions regulating the use of a non-public registered agritourism location, including, but not limited to, regulations related to health and safety; property maintenance; facility usage; or requirements for permits, licenses, and fees.

Definitions

The bill would define “non-public registered agritourism location” to mean:

- A registered agritourism location on which agricultural activity, as defined in continuing law, is the only activity conducted on such location and members of the general public are permitted on such location by specific invitation only.

*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/>

The definition of “non-public registered agritourism location” would not include:

- Except for goods that are processed off-site from agricultural commodities produced through agricultural activity conducted on such location, any registered agritourism location where goods or services are sold or otherwise provided that are not produced through agricultural activity conducted on such location or are unrelated to such agricultural activity, including, but not limited to, the sale of merchandise not produced on such location and the rental of space for private events where the purpose of such event is not directly related to the agritourism activity at such location; or
- Any registered agritourism location where members of the general public are permitted on the property without being specifically invited by the registered agritourism operator.

The bill would also amend the continuing law of “agritourism activity” to include an activity may be an agritourism activity:

- If such activity is made accessible to members of the public only by specific invitation by the registered agritourism operator.

Background

The Senate Committee on Agriculture and Natural Resources removed the contents of HB 2111 related to the Conservation Reserve Enhancement Program and placed the contents of SB 519 into HB 2111 and recommended a substitute bill. [Note: The provisions of HB 2111 were included in 2025 HB 2255, which was enacted last year.]

The background information for SB 519 follows below.

SB 519—Agritourism

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

Senate Committee on Agriculture and Natural Resources

In the Senate Committee hearing, **proponent** testimony was provided by Senator Thompson and a representative of the Walnut Pond Agricultural Discovery Center. The proponents described a current situation where a city has attempted to regulate through zoning a privately owned facility that brings in students on an invitation-only basis to learn about where our food comes from and what it takes to grow and raise food in modern day.

Neutral testimony was provided by the State Fire Marshal, who recommended an amendment to New Section 1 of the bill that would allow locally adopted and approved fire safety codes to be used instead of requiring cities to use state statute and handle any violations through the district court and the Office of the State Fire Marshal.

Opponent testimony was provided by the Director of Legislative Affairs, Department of Commerce, who stated the bill would create a new type of agritourism that is exempt from local code and regulation enforcement, and this new category would only be open to the public by invitation. The Director stated at the heart of agritourism is tourism, which this bill would limit to invited guests only—moving away from the traditional concept of anyone traveling to a destination to experience a unique activity.

Written-only opponent testimony was provided by representatives of the cities of Overland Park and Shawnee, Fire Marshals Association of Kansas, and League of Kansas Municipalities.

No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on SB 519, the Department of Commerce would require \$95,0000 from the State General Fund, including \$94,500 for a 1.0 Program Manager position to certify the new classification of agritourism, including updating the registration form and website changes, and a one-time cost of \$500 for form and website changes in FY 2027. The Department estimates expenditures of \$94,5000 in FY 2028 for the position. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2027 Governor's Budget Report*.

The Kansas Association of Counties states enactment of the bill could increase county costs for law enforcement training and education costs to make sure county staff are abiding by the provisions contained in the bill. The bill could also reduce revenues as a result of exempting agritourism locations that currently are regulated, but there could also be a decrease in expenditures as a result of less paperwork and documentation that the counties would pay for agritourism-related inquiries and enforcement of agritourism codes and resolutions.

The League of Kansas Municipalities states that enactment of the bill would lead cities to experience loss in revenues as a result of the prohibition of enforcing regulations and fees for the use of a non-public registered agritourism location, administrative and legal costs associated with implementing and interpreting the exemption of non-public registered agritourism locations, and increased public safety costs resulting from the exemption of non-public registered agritourism locations from building and safety standards.

Agritourism Promotion Act; local codes; exemption