

SESSION OF 2026

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2739

As Amended by Senate Committee of the Whole

Brief*

HB 2739, as amended, would exclude the construction of certain types of residential housing from specified requirements in law and create a limited exception to the requirements for proposed rules and regulations promulgated by the State Fire Marshal for purposes of updating the Kansas Fire Prevention Code.

Residential Housing Requirements

The bill would exclude apartment houses, as defined in current law, from fire safety rules and regulations administered by the State Fire Marshal for safeguarding life and property from fire, explosion, and hazardous materials, and exclude dwellings financed through the Kansas Housing Investor Tax Credit and Kansas Moderate Income Housing Program from accessibility standards for certain publicly financed dwellings.

The bill would also repeal the definition of “apartment house” and make other technical and conforming amendments.

Adoption of Fire Prevention Regulations

The bill would exempt from the requirements for submission and review of an economic impact statement in continuing law, proposed rules and regulations adopted by

*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 State Fire Marshal on or before December 21, 2026, to update the Kansas Fire Prevention Code with provisions of the 2024 edition of the National Fire Protection Association Standards.

Proposed rules and regulations submitted to the Attorney General pursuant to this provision would be required to be reviewed by the Attorney General within 120 days of submission.

The bill would be in effect upon publication in the *Kansas Register*.

Background

The bill was introduced by the House Committee on Commerce, Labor and Economic Development at the request of Representative Tarwater.

House Committee on Commerce, Labor and Economic Development

In the House Committee hearing, **proponent** testimony was provided by Representative Helwig and representatives of Kansas Building Industry Association; Kansas Housing Solutions, LLC; and Greenamyre Rentals. The proponents voiced support for the removal of fire sprinkler requirements resulting in a reduction in administrative burden and allowing for an accelerated construction of housing, particularly in rural areas.

Written-only proponent testimony was provided by representatives of the City of Garden City, Kansas Association of Realtors, Kansas Manufactured Housing Association, and Pomeroy Development.

Neutral testimony was provided by the State Fire Marshal, who advocated for a modernization of the State Fire Code and for additional clarifying language to be added to the bill surrounding various building structures.

Opponent testimony was provided by representatives of the City of Lenexa Fire Department and the Kansas State Firefighters Association. The opponents voiced concerns over fire safety and the potential dangers caused by modern building materials, the various fire safety needs and dangers across the state, and whether a universal code would be able to provide adequate safety standards.

Written-only opponent testimony was provided by representatives of the Fire Marshal Association of Kansas, Heart of America, and Kansas State Association of Fire Chiefs.

The House Committee amended the bill to:

- Prohibit municipalities from adopting or enforcing any ordinance, order, code, standard, or rule for construction projects approved after July 1, 2026;
- Provide a definition and requirements for “townhouses”;
- Modify the definition of “public assistance” as it relates to the Kansas Housing Investor Tax Credit and Kansas Moderate Income Housing Program; and
- Make technical and conforming amendments.

Senate Committee on Commerce

In the Senate Committee hearing, **proponent** testimony was provided by representatives of the Kansas Builders Industry Association and Kansas Housing Solutions that was substantially similar to testimony provided in the House Committee hearing.

Written-only proponent testimony was provided by representatives of Frontier Development Group, Kansas Association of Realtors, and Kansas Manufactured Housing Association.

Neutral testimony was provided by the State Fire Marshal and representatives of Heritage Fire Protection and Kansas State Firefighters Association. The State Fire Marshal indicated the problem the bill is trying to solve is due to a definition of “apartment house” in current law that conflicts with international and local codes, and repealing this definition would accomplish the intent of the bill and resolve an outstanding issue the bill would otherwise fail to address.

Opponent testimony was provided by representatives of the City of Lenexa Fire Department and Kansas Fire Marshals Association that was substantially similar to testimony provided in the House Committee hearing.

The Senate Committee amended the bill to:

- Exclude apartment houses from fire prevention requirements and remove new language providing for such requirements according to new definitions for dwellings of different types; and
- Make the bill effective upon publication in the *Kansas Register*.

Senate Committee of the Whole

The Senate Committee of the Whole amended the bill to exempt certain rules and regulations adopted by the State Fire Marshal from economic impact statement requirements.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Office of the State Fire Marshal indicates enactment of the bill would have no fiscal effect on its operations.

The Kansas Association of Counties and Kansas League of Kansas Municipalities indicate enactment of the bill could impact local expenditures; however, neither organization provided a specific estimate.

Fire safety; fire code; fire sprinkler system; residential dwellings