

SESSION OF 2025

SUPPLEMENTAL NOTE ON SENATE BILL NO. 194

As Amended by Senate Committee on Local
Government, Transparency and Ethics

Brief*

SB 194, as amended, would void any provision of a covenant or other restriction established or amended between January 1, 1948, and December 31, 1958, and meeting the following conditions:

- Restricting use of property owned by an institution governed by the State Board of Regents;
- Prohibiting the property from being used for any purpose other than single-family residences; and
- Containing discriminatory provisions to restrict ownership or tenancy by race.

The bill would declare covenants prohibiting other than single-family residence use and containing discriminatory provisions to be against public policy and to be void and unenforceable.

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

Background

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

*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/>

Senate Committee on Local Government, Transparency and Ethics

In the Senate Committee hearing, a representative of Connected Nation provided **proponent** testimony. According to testimony, the bill would apply to a 1.3-acre parcel in Wichita owned by Wichita State University that would be leased to Connected Nation to build the state's first internet exchange point. Connected Nation was described as a national nonprofit with a purpose of helping to close the digital divide, and the advantages of having an internet exchange point in Kansas to end users and the local economy were described. The proponent explained that the restrictive covenants were discovered recently, preventing the project from progressing.

Written-only proponent testimony was provided by a representative of the Health Forward Foundation, stating the bill would align statutes with court rulings prohibiting racially restrictive covenants.

No other testimony was provided.

[*Note:* An internet exchange point is physical infrastructure where different networks, including internet service providers and cloud providers, interconnect to exchange traffic directly rather than relying on third-party transit providers.]

The Senate Committee amended the bill to clarify the date restriction and to change the effective date to be upon publication in the *Kansas Register*.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, the Kansas State Department of Education states the bill's enactment would not have a fiscal effect on agency operations. The State

Board of Regents indicates enactment of the bill would have no fiscal effect on the Board, the state universities, community colleges, technical colleges, or Washburn University

Covenant; restrictive covenant; Wichita State University; parcel; internet