

As Amended by House Committee

Session of 2016

HOUSE BILL No. 2665

By Committee on Appropriations

2-10

1 AN ACT concerning city and county inspections of ~~rental~~ **residential**  
2 properties.

3  
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) No city or county shall ~~establish~~ **adopt, enforce or**  
6 **maintain** a ~~rental~~ **residential** property licensing ordinance or resolution  
7 which includes a requirement for periodic **interior** inspections of privately  
8 owned ~~rental~~ **residential** property for city or county code violations unless  
9 the city or county has first obtained a search warrant from the court **lawful**  
10 **occupant has consented to such interior inspections. This subsection**  
11 **shall not apply to inspections of mixed-use residential and commercial**  
12 **property.**

13 (b) ~~Any city or county provision in a rental property licensing~~  
14 ~~ordinance or resolution which requires periodic inspections without the~~  
15 ~~property owner's consent or without first obtaining a search warrant from~~  
16 ~~the court, shall be unenforceable and null and void.~~

17 (e) ~~Any tenant~~ **lawful occupant** residing in privately owned  
18 residential housing located within the corporate limits of a city may  
19 request an inspection **at any time** by the city or, if the property is located  
20 in the unincorporated area of the county, by the county to determine code  
21 violations. ~~No such inspection shall be conducted if the tenant is subject to~~  
22 ~~an eviction proceeding. No such inspection shall take place until the owner~~  
23 ~~of the property is notified of the inspection.~~

24 Sec. 2. This act shall take effect and be in force from and after its  
25 publication in the statute book.