



19 February 2020

Testimony in Opposition to House Bill 2703 House Commerce Committee

Chairman Tarwater and Members of the House Commerce Committee:

I appear today on behalf of a coalition of Northeast Johnson County cities, presently comprised of the cities of Merriam, Mission, Prairie Village, and Westwood Hills. I appreciate the opportunity to provide testimony in opposition to House Bill 2703, which we believe directly challenges our cities' home rule authority.

First and foremost, this bill challenges cities' home rule authority by preempting cities from prohibiting or limiting particular building products, materials, or construction practices approved by a national model code, without regard to individual cities' needs and capacities. Additionally, the bill would prohibit cities from having their own standards for building products, materials, and practices. The bill expressly states that no city or county "shall adopt or enforce more stringent standards" than those established under a state-adopted or national model code. This infringement on our home rule authority would lead to an unnecessary loss of local control.

Cities rely on local ordinances governing building requirements in their own communities in order to better fit the unique needs, aesthetics, and standards of our individual communities. It is important cities retain the ability to amend national model codes—ranging from building and plumbing codes, to gas piping and sanitation codes—to further strengthen them if that is in the best interest and safety of our communities. Local codes are often more responsive to changing technology, since local leaders have the authority to adopt these changes, rather than industry leaders at the national level. As building materials and technology change and improve, and as cities in Kansas face new challenges (such as the increase in number and severity of earthquakes, for example), it is imperative cities retain their ability to amend national model codes to adapt to their changing needs while keeping their communities safe.

The Coalition requests the committee oppose HB 2703 in the interest of protecting the home rule authority of our cities. Our authority to strengthen national model codes keep our communities safer, healthier, more disaster resilient, and more sustainable. Thank you for your consideration and we welcome any questions or further discussion you may have on this matter.

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