

To: Senate Commerce Committee  
From: Trey Cocking, Deputy Director  
Date: January 27, 2021  
RE: Opposition Testimony on SB 10

Good morning Chairman and Committee Members and thank you for allowing the League of Kansas Municipalities to offer testimony in opposition to SB 10.

The League is opposed to SB 10 as it preempts the ability of cities to maintain occupational licensing programs and, when necessary and appropriate, provide improvements to such licensing programs dependent on the evolution of best practices within a given profession. The League believes that this bill impinges upon our members' Constitutional Home Rule powers and the ability to ensure that cities have the capability to address issues of occupational regulation as needed to protect the health and safety of their residents.

Cities can utilize occupational licensing programs to address unique concerns that are specific to their community. In some cases, cities can provide occupational licensing for professions that the state has chosen to not license or regulate, such as massage therapy. While statewide licensure may not be warranted, it is not uncommon that a profession disproportionately affects one city, causing health or safety issues if no regulatory oversight is provided. Ensuring that cities can step in and provide a licensing program to address these concerns ensures the safety and well-being of a city's residents.

Additionally, cities typically construct their licensing programs to ensure that they do not diminish the opportunity for business growth. Quite simply, it is not in their interest to drive away businesses with overly burdensome licensure requirements. To better equip these licensees, it is not uncommon for cities who are near each other and share similar licensing requirements to enter into portability agreements. Such agreements allow a licensee the capability to practice their profession in another city, provided they hold a valid license from a city that participates in the portability agreement. As a result, many cities construct their licensing programs to both protect the safety and well-being of their residents, while also encouraging business and economic growth.

The broad scope of SB 10 is concerning to cities across the state. Many cities in the State of Kansas have adopted model building and fire codes that follow national standards that are carefully crafted with industry experts on a regular cycle. This far-reaching legislation would create significant administrative challenges for cities to update these model codes or even make small changes to those codes.

Based on the above reasons, the League of Kansas Municipalities respectfully requests the Committee not pass SB 10 out of Committee.