

To: House Federal and State Affairs

From: John Goodyear, General Counsel

Date: January 31, 2023

RE: Testimony in Support of HB 2059

I want to thank Chairman Carpenter and the members of the Committee for affording the League of Kansas Municipalities the opportunity to provide testimony in support of HB 2059.

The League was approached this summer by the City of Topeka with the idea for HB 2059. This bill expands upon current state law regarding entertainment zones or common consumption areas to allow for traffic within the area. Current state law requires a city to close streets within a common consumption area. This would shift the decision over whether those streets need to be closed to the one charged with monitoring or policing the area – the city. League membership considered the proposal by the City of Topeka at our annual Policy Committee meetings over the summer and voted to support the legislation, adding to the broad policy statement support for legislation that enhances local control in these areas.

The support of the League and our member cities stems from the fact that HB 2059 is drafted in a way that preserves and even enhances local choice. This issue is one that provides a great example of why Home Rule is so important in our state. Local governing bodies are best situated to interact with stakeholders and make decisions on how best to build out, monitor, and police common consumption areas in ways that reflect the needs of their community, encourage compliance with city and state law, and maintain order. We have cities that will pass ordinances taking advantage of this change to state law, cities that will leave their common consumption areas unchanged, and cities that will never have common consumption areas. HB 2059 enables our members to choose what is best for their community.

We are grateful for the opportunity to voice our support of this bill. The League would ask that when the Committee makes recommendation, that you recommend HB 2059 favorably for passage.