



KANSAS
ASSOCIATION OF
COUNTIES

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House Federal and State Affairs Committee
March 15, 2023
HB 2446

Kansas Association of Counties
Opponent Testimony

Chairman Carpenter and members of the Committee:

Thank you for allowing the Kansas Association of Counties to offer testimony in opposition of HB 2446, which would prohibit cities and counties from regulating plastic bags and other containers and single use items consistent with the wishes of their residents.

KAC has long supported legislation provides for local control. HB 2446 does the opposite. Rather than enhancing local control, HB 2446 pre-empts local control by forbidding the regulation of plastic bags, containers and other single use items at the local level.

Let it be clear that the Kansas Association of Counties takes no position on whether a county *should* regulate these items. That is a decision better left to the locally elected leaders in those areas to determine what is best for their communities. If there is a local desire amongst residents to have those items regulated, local leaders should be able to do so. If there is not, local leaders do not have to. HB 2446, however, removes that option entirely by allowing the state to pre-empt that decision and eliminate local control.

This is especially concerning because counties are responsible for solid waste management under K.S.A. 65-3405. HB 2446 would effectively tie the hands of local leaders in carrying out their state mandated responsibilities with regard to solid waste management by pre-empting regulation of certain items that contribute to solid waste.

KAC opposes this level of pre-emption and therefore opposes HB 2446. KAC would respectfully ask this committee to be a supporter of county government and local control by rejecting HB 2446. Thank you for your time and consideration.

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