



**KANSAS**  
ASSOCIATION OF  
**COUNTIES**

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Senate Federal and State Affairs Committee  
January 23, 2024  
HB 2446

Kansas Association of Counties  
Opponent Testimony

Chairman Thompson 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. KAC opposes this type of pre-emption.

Under K.S.A. 65-3405 counties are responsible for solid waste management. The pre-emptive language contained in HB 2446 would effectively tie the hands of county leaders in carrying out their state mandated responsibilities with regard to solid waste management by forbidding them from regulating certain items that contribute to solid waste.

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.

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 and its interference with solid waste management. Thank you for your time and consideration.

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