



Date: Tuesday, March 12, 2013

To: Sen. Jeff King, Chairman
Senate Committee on Judiciary

Subject: Opposition to HB 2065 – Home Improvement Fraud

Chairman King, members of the Senate Committee on Judiciary, thank you for the opportunity to submit testimony on behalf of the Kansas Building Industry Association (KBIA) in opposition to HB 2065 creating the new crime of home improvement fraud. KBIA is an affiliate of the National Association of Home Builders and with more than 2,000 members across the state the Association plays a crucial role in providing housing for Kansas citizens.

Our concern with HB 2065 centers primarily on the unintended consequences we believe will arise from the creation of the new felony of home improvement fraud. We believe the intent of the legislation is to deal with ‘fly by night’ operations and individuals who take money from homeowners with no intention of ever delivering the project. Unfortunately we believe the creation of this new felony could lead to criminal charges against honest contractors in situations where homeowners are less than satisfied with the speed or workmanship of the project. Even in situations where the contractor is exonerated it could require businesses to hire criminal defense attorneys, an expensive and scary proposition for individuals already operating on a very thin profit margin.

KBIA and its local member organizations encourage anyone looking to repair or remodel their home to seek, and fully investigate, references, ask for proof of liability insurance, and sign a written contract fully outlining the work to be done and setting the parameters of the project, including a firm date of completion.

Once again, we ask that you oppose HB 2065 and we are happy to answer any questions you may have regarding our position or concerns.

Sean Miller, Executive Officer
sean@kansasstatehouse.com