SUPPLEMENTAL NOTE ON SENATE BILL NO. 366

As Amended by House Committee of the Whole

Brief*

SB 366, as amended, would prohibit any political subdivision of Kansas from enacting, maintaining, or enforcing an ordinance or resolution that would control the purchase price agreed upon between the parties to a transaction of privately owned residential or commercial property. Continuing law contains a similar prohibition regarding the amount of rent charged for a lease of residential or commercial property. The bill would not impair the right of a property owner from entering into a voluntary agreement with a political subdivision that would affect the amounts of rent charged or purchase price in return for grants or incentives provided by the political subdivision to the owner.

Background

The bill was introduced by the Senate Committee on Commerce.

Representatives of the Kansas Association of Realtors, the Kansas Building Industry Association, and Americans for Prosperity provided testimony at the hearing before the House Committee on Commerce, Labor and Economic Development in support of the bill, stating the bill would prohibit inclusionary zoning. Representatives of the cities of Ottawa and Lawrence and the League of Kansas Municipalities spoke in opposition of the bill, explaining the legislation could erode local government control. A representative the Kansas House Association provided

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*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at http://www.kslegislature.org

neutral testimony, explaining the bill could adversely affect the supply of affordable housing.

The House Committee of the Whole amended the bill to allow for voluntary agreements between property owners and political subdivisions.

The fiscal note provided by the Division of the Budget indicated the bill, as introduced, would have no fiscal effect.