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Testimony in Support of Senate Bill 493
Mr. Daniel Murray
Kansas State Director, National Federation of Independent Business

Senate Committee on Commerce
Thursday, February 17, 2022

Chairwoman and members of the committee, I am pleased to testify on behalf of NFIB Kansas in strong support Senate Bill 493 which provides much-needed certainty to many small business retailers. NFIB Kansas is the leading small business organization in Kansas representing small and independent businesses. A non-profit, nonpartisan organization founded in 1943, NFIB Kansas represents the consensus views of its nearly 4,000 members in Kansas.

Senate Bill 493 prohibits a municipality from adopting or enforcing an ordinance, resolution or regulation that restricts, taxes, prohibits or otherwise regulates the use, disposition or sale of auxiliary containers used in the consumption of food, transportation of merchandise, etc. The protected retailers include, but are not limited to, grocery stores, supermarkets, convenience stores, liquor stores, dry cleaners, pharmacies, drug stores, hardware stores, clothing stores or department stores. **These small business retailers are Main Street. They are the backbone of the Kansas economy.**

As I understand, at least 10 states and hundreds of cities across the country have adopted bans or restrictions on single-use plastic bags and other products designed for food consumption and product transportation. Now is the time for the Kansas legislature to act before similar local bans proliferate in our state. Measures like SB493 preventing container ordinances have been passed in at least 26 other states, most recently in neighboring Arkansas.

Many small businesses buy the products outlined in the bill in large quantities to take advantage of economies of scale. **Restricting their ability to purchase certain products drives up material costs which prevents small business owners from investing in capital improvements and increased employer wages and benefits.** Additionally, regulatory compliance is costly and burdensome. **Having a patchwork regulatory framework throughout Kansas most certainly complicates regulatory compliance for small businesses.**

Small businesses are managing challenges including labor shortages, rising inflation, supply chain disruptions, and government mandates related to COVID-19. The last thing small business owners need is another local mandate which unreasonably restricts their business operations and increases the cost of doing business in Kansas. **This bill provides the regulatory certainty that our small businesses want, need and deserve.**

Thank you for the opportunity to provide comments today and we urge you to pass out SB493 favorably.