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To: House Commerce, Labor and Economic Development Committee
From: Patrick Vogelsberg
Date: February 12th, 2109
Subject: Neutral Testimony on HB 2026

Honorable Chairman Tarwater and members of the House Commerce, Labor and Economic Development Committee:

Thank you for the opportunity to appear in front of you today on behalf of the Kansas Association of REALTORS® (KAR) and provide neutral testimony. Through the comments provided in our testimony, we hope to provide some additional legal and public policy content on this issue.

KAR represents nearly 10,000 members involved in residential, commercial and agricultural real estate and has advocated on behalf of the state's property owners for over 95 years. REALTORS® serve an important role in the state's economy and are dedicated to working with our elected officials to create better communities by supporting economic development, a high quality of life and providing affordable housing opportunities while protecting the rights of private property owners.

KAR takes no position on the underlying bill. However, we would like to bring to the committee's attention K.S.A. 12-16,219 which prohibits cities and counties from mandating fire sprinklers be installed in a residential structure that is a "single-family dwelling or multi-family dwelling of two attached living units or less or any manufactured home."¹ This statute was enacted in 2010, and amended in 2011. This law prevents cities and counties from imposing a mandate on residential property owners to install burdensome and expensive fire sprinkler systems in their homes. Such requirements artificially drive up the cost of housing and the Kansas Legislature was wise to prohibit them.

As it stands now, HB 2026 does not seem to apply to one or two-family dwelling structures.² However, the precise definition is delegated to the International Code Council (ICC).

We would therefore ask that the following be amended into the bill:

Sec. 20. (a) Notwithstanding any other provision of this act, the state fire marshal shall have no authority under this act to adopt or enforce any code, guideline, regulation, rule, standard or any other requirement on any improvement to real property to be used or

¹ K.S.A. 12-16,219(a)(2).

² See Section 2, subsection (s) on page 2-3 of HB 2026.

occupied as a single-family dwelling or multi-family dwelling of two attached living units or less or any manufactured home.

With this amended into the bill, our concerns would be alleviated and KAR would remain neutral.

Thank you for the opportunity to provide comments on this issue.

Respectfully submitted,

A handwritten signature in black ink that reads "Patrick Vogelsberg". The signature is written in a cursive style with a large initial "P" and a long, sweeping underline.

Patrick Vogelsberg

Vice President of Governmental Affairs

Kansas Association of REALTORS®