



March 16, 2021

**Testimony re: SB 24, the Kansas energy choice act**

Dear Chairman Seiwert and Members of the Committee:

Thank you for this opportunity to testify in support of SB 24, the Kansas energy choice act, which would limit the ability of local governments to impose restrictions on consumers in choosing the source of heating and energy for their homes and appliances.

My name is Elizabeth Patton, and I am State Director of Americans for Prosperity in Kansas. Through broad-based grassroots outreach, AFP is driving long-term solutions to the country's biggest problems. AFP activists engage friends and neighbors on key issues and encourage them to take an active role in building a culture of mutual benefit, where people succeed by helping one another. AFP recruits and unites activists in 35 states behind a common goal of advancing policies that will help people improve their lives.

AFP activists support SB 24 because it would ensure that consumers can choose their fuel of choice for their home, rather than be subjected to California-style energy prohibition. Following the lead of 40 municipalities in California, local governments around the country are pushing for bans on natural gas in homes and buildings.<sup>1</sup> [Energy poverty advocates](#), [civil rights leaders](#), [senior citizens](#), [realtors](#), and [restaurants](#) have been on the frontlines of opposing this municipal overreach across the U.S.

More than 70 percent of Kansans rely on natural gas or propane for home heating, well above the national average.<sup>2</sup> These local bans serve as regressive taxes that hurt low- and middle-income consumers and exacerbate energy poverty, with little to no environmental benefit.<sup>3</sup> Prohibiting the direct consumption of natural gas in furnaces, stoves, dryers, and water heaters – at a time of historically low prices – forces consumers to rely on more expensive fuels.

Top-down policies that eliminate consumer choice will only make energy poverty worse in our state. According to one estimate, over 60,000 Kansas households have incomes of 50 percent or more below the Federal Poverty Level and pay **29 percent** of their annual income simply for their home energy bills.<sup>4</sup> COVID-19 has further exacerbated energy poverty in the U.S., underscoring the need for this legislation.<sup>5</sup> SB 24 addresses this troubling trend by adopting a fuel-neutral policy disallowing discriminatory bans or restrictions of a consumer's use of a public utility based on the source of energy to be delivered. This

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<sup>1</sup> <https://www.axios.com/cities-ban-natural-gas-hookups-98c292b7-a48f-465a-af87-d8b107882549.html>.

<sup>2</sup> <https://www.eia.gov/state/print.php?sid=KS>.

<sup>3</sup> <http://www.truebluenaturalgas.org/evaluating-impact-san-francisco-natural-gas-ban/>.

<sup>4</sup> Fisher, Sheehan & Colton (FSC), Home Energy Affordability Gap, April 2020, [http://www.homeenergyaffordabilitygap.com/03a\\_affordabilityData.html](http://www.homeenergyaffordabilitygap.com/03a_affordabilityData.html).

<sup>5</sup> <https://oneill.indiana.edu/doc/research/energy-insecurity-survey-june-2020.pdf>.

limitation would protect consumer's choice when it comes to home heating (whether from natural gas, electricity, propane, or fuel oil) or electricity (whether from coal, natural gas, nuclear, or renewables).

Green New Deal-style local energy bans are designed more to force politically preferred energy sources on Kansans than achieve any environmental goal. In American homes, the U.S. uses about the same amount of natural gas in 2021 as we did in 1970, despite adding 33 million customers, due to significant bottom-up innovation and efficiency.<sup>6</sup> Since 2007, Kansas has reduced per capita carbon dioxide emissions by more than 30 percent, far outpacing states that have embraced top-down energy mandates, including reductions four times greater than California, Connecticut, New York, and Vermont. Similarly, residential carbon dioxide emissions in Kansas have dropped significantly over the last decade, and now represent less than 6 percent of energy-related CO<sub>2</sub> emissions in the state.<sup>7</sup>

For these reasons, I ask you to support consumer choice and vote for SB 24.

Sincerely,

Elizabeth Patton  
Kansas State Director  
Americans for Prosperity

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<sup>6</sup> <https://www.latimes.com/environment/newsletter/2020-12-03/natural-gas-industry-what-comes-next-boiling-point>.

<sup>7</sup> <https://www.eia.gov/environment/emissions/state/>.