



February 21st, 2022

SB 482

Written-only Opponent Testimony

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Testimony in Opposition to Senate Bill 482 Senate Federal & State Affairs Committee

Chairman Olson and Members of the Senate Federal & State Affairs Committee:

The Northeast Johnson County cities of Merriam, Mission, Prairie Village, and Westwood Hills oppose SB 482. We appreciate the opportunity to provide testimony in opposition to SB 482, which we believe directly challenges our cities' home rule authority and challenges the ability of locally elected officials in making local contracting decisions for services in the best interest of their communities.

This bill would prohibit cities from conducting business with companies that cannot demonstrate they have no expressed policy against gun and ammunition manufacturers. Locally elected officials are tasked with making responsible and informed decisions for their communities without consideration of disruptive policy statements. SB 482 would hinder local decision-making and would create problems for local governments because compliance with the requirements in the bill are unclear and difficult to determine regarding a potential vendor's adherence on one narrow policy preference perspective that has none of the legal protections of an identifiable class.

This is not just a philosophical question but also practical. For example, practical experience with a similar law in Texas has real financial impact with local government debt and investment programs.

We would note a few points in particular that make SB 482 especially problematic:

- Kansas law requires local governments to first bid idle funds for investment to local banks with brick-and-mortar locations before turning to other permitted investments. Thus, SB 482 could potentially put local governments in situations where they had to violate existing Kansas law (12-1675) if they had to comply with the firearm industry nondiscrimination act as proposed in SB 482.

- Reducing our options and the number of broker-dealers our cities can conduct business with potentially reduces investment yields and places additional burdens on Kansas taxpayers.
- Kansas law also requires local governments to use competitive bidding on new money bond transactions in excess of \$2 million. Municipal bond dealers must already adhere to rules and regulations; additional documentation and regulation will deter potential bond bidders.

Our citizens are best served when our locally elected officials have the freedom to conduct the business of their jurisdictions in manners that best reflect the needs and desires of their constituents. SB 482 directly impacts our ability to conduct business and limits our local financial decision-making and bonding authority. These challenges are applicable to many other vendor relations.

Without regard to the merits of the specific entity seeking the protection in SB 482, our principle would be the same. Does the value imbued in a policy statement outweigh the impact on local government policy? We request the committee not advance SB 482 for these reasons. Thank you for your consideration and we welcome any questions or further discussion you may have on this matter.

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